

THE ALABAMA HISTORICAL QUARTERLY

PETER A. BRANNON, Editor



Published by the
STATE DEPARTMENT
OF
ARCHIVES AND HISTORY

VOL. 17

NO. 3

FALL ISSUE

1955

WETUMPKA PRINTING CO.
Printers and Publishers
Wetumpka, Ala.
1955

CONTENTS

	Page
Dueling in Alabama, by Peter A. Brannon.....	97
Extracts from the Travels of William Bartram.....	110
The Muscogees or Creek Indians from 1519 to 1893, by Dr. Marion E. Tarvin.....	125
United States Land Offices in Alabama, 1803-1879.....	146
The Flag and the Birthday of Alabama, by Peter A. Brannon....	154
A History of Company B, 40th Alabama Infantry, C.S.A.....	159

INTRODUCTORY STATEMENT

The contents of this number of the Alabama Historical Quarterly indicate that the purpose is to present a collection of historical papers rather than to devote the edition to one particular subject.

Peter A. Brannon, Editor

DUELING IN ALABAMA*

By Peter A. Brannon

The practice of dueling prevailed in what is now Alabama, from the very earliest days of this territory down to near the beginning of the War Between the States. Even so, there were stringent Mississippi Territorial Legislative laws against it. The first of these was passed originally November 11, 1803, to be re-enacted November 11, 1804, and it is incorporated *verbatim* in the Digest of 1807¹. This Act made the sending, or receiving, or bearing of a challenge to fight a duel, a felony punishable, if neither combatant was killed, "by a fine of \$1,000.00 and imprisonment for twelve calendar months, as well as rendered incapable of holding any office of honour, or profit, or trust, under the Government of this territory, for and during the term of five years from time of such conviction." It further provided that if either party was killed, the survivor and all persons who had aided or assisted in the duel, were held guilty of "wilful murder," and on conviction, should suffer death. The Act was made applicable to all persons residing in the Territory and to any person not a resident, who *being in the Territory*, "promoted, concerted, planned, or encouraged the fighting of a duel between persons in the Territory," regardless of whether the duel was fought within or without. This latter provision you will see was intended to discourage the prospective participants from coming from another state or territory, into this one to fight here where they might escape the laws of their own state concerning dueling.

The first State Legislature, 1819, enacted three days after the admission of the state, a law practically identical with the Territorial Acts, except that it was strengthened by the provision

*The foregoing part of this paper was presented at a meeting of the Alabama Historical Association in Birmingham, April 30, 1954, but it was not used in the Alabama Review, the journal of the Historical Association, as certain parts of it had previously been published in the Columbus papers of 1828 and in the Montgomery Advertiser of recent years. That chapter of this paper titled "Aristocratic Hot-Heads in Mobile Duel," was published by C. M. Stanley, Editor of the Alabama Journal, January 30, 1955. Mr. Stanley's contributions add materially to the history of dueling in Alabama and are used here for that reason. Ed.

¹Toulmin, *Digest*, 1823, pp. 261-266; see also Toulmin, *Digest*, 1807.

that in addition to the regular oath prescribed by the Constitution, every member of the Legislature and all other state officers, be they elected or appointed, must, before taking office, subscribe to an oath that they had "neither directly or indirectly, been concerned in promoting or fighting a duel." This so termed "Dueling Oath," was a part of the Constitution of Alabama until repealed by an Act of the 1951 session of the Legislature¹.

The Code of 1841, made the killing of a person in a duel *murder in the second degree*. Subsequent legislation tempered the degree of severity and the penalty for giving, accepting or carrying a challenge is now only two to ten years in the penitentiary. There is now a penalty for publishing another as a coward for not fighting or accepting a challenge to fight and the punishment is a fine of not more than \$500.00 and imprisonment in the county jail, or at hard labor for not less than six, nor more than ten months².

Legislation on the statute books has made it necessary to enact special relief in several cases. The most historic one of these "Relief Acts" was passed January 31, 1846, for the relief of William L. Yancey and Daniel Sayre. The Governor refused to approve it and the Legislature passed it over his veto.

Joseph L. Martin

Code Duello

The Code of Honor or Rules for the Government of Principals and Seconds in Dueling, is a small monograph of eight chapters which was quite much in circulation in the state when "affairs of honour" were the means of settling personal opinions of hot headed gentlemen.

¹Acts 1951, p. 239. See also Toulmin, *Digest*, 1823, p. 666, et seq.; Aiken *Digest*, 1833, pp. 136, 137, sec. 16, 17; Acts Dec. 17, 1866, p. 144; and subsequent codifications as secs. 1475, 3062, 249, 155, 149, 110, and 2587, may be seen under Title 41. Sec. 20, of the Current Code. See also Sec. 86, Constitution.

It was compiled by John Lyde Wilson and the 1838 edition in the Yancey Collection in the Manuscripts Division of the Alabama Department of Archives and History, a brochure of twenty-two pages, is of particular interest to Alabamians as it was William L. Yancey's own copy. You will recall that Mr. Yancey killed T. L. Klingman of North Carolina, in a duel July 1, 1845.

The Code provided rules for selection of arms and it set a scale for the "field of honor." Many contestants agreed on ten paces, or fifteen paces, as the firing distance, but the gentleman's "second" could dictate or argue for a change of the rule. While sword-canes were common articles of use carried by many, Alabama traditions suggest that all of our recorded duels were fought with pistols.

The dueling pistol of that day was a "flint and steel" of large calibre. If we accept the many specimens in the museums as evidence, then quite a few gentlemen owned a brace (or set, or pair) and kept them housed in velvet lined cabinets, anticipating a prospective use. Remember the Second held a pistol, as by the rules, he might be called on to use it in defense of his principal's "honor."

Under the rules, if the second was disqualified, then the surgeon—each duelist had one in his retinue—must serve.

Some Historic Duels

Quite many "letters" are to be found in the columns of our early newspapers bearing what were considered slanderous remarks about men in the public eye. Most of them were published by political opponents and were the causes of most of the challenges given to promote action in the nature of a duel. Many prompted "shooting on sight" affairs, but it was considered more in order, more gentlemanly, to arrange an "affair of honour," with seconds and appointed place and time.

About 1830 Michael J. Kenan, who moved to Dallas County, Alabama, from Duplin County, North Carolina, used disrespectful

words to William R. King on the streets of Cahawba, which the latter resented by drawing a sword-cane and passing it cross-wise Mr. Kenan's chest. He refused to accept a challenge because of the character of Mr. Kenan's insult. John C. Perry, one time Treasurer of the State, then a citizen of Dallas County, bore a note of challenge from Mr. Kenan to Mr. King without knowledge of its import and when it was declined, bore another one with that knowledge. When this one was declined, he himself challenged Mr. King and a meeting was appointed, *out of the state*. However Mr. Perry declined to attend the appointment because the matter was too frivolous to warrant a deadly combat with a friend who had actually done him no injury.¹

A duel of interest which suggests that the participants arranged it outside the state, was the one between Gabriel Moore, sometime Governor and sometime Senator, and young Callier of southwest Alabama. Mr. Moore married Miss Mary Parham Callier of Washington County, but there was an immediate divorce, followed by a duel with her brother. According to Colonel Willis Brewer, the latter was "shot in the arm near the Tennessee line," the place of the duel being near the Tennessee state line.²

The most publicized duels in Alabama occurred at Fort Mitchell in Russell County. The Crawford-Burnside duel in 1828, and the Camp-Woolfolk duel in 1832, being the ones which received particular notoriety. A full account of the Crawford-Burnside affair was published by me some years ago and I here embody in part, what I said then.³

The place of the affairs at Fort Mitchell was on the Federal Road, thus outside the military reservation so-claimed, even though the road from Milledgeville in Georgia, to Saint Stephens

¹Brewer, Alabama, 1872, p. 212.

²Brewer, Alabama, 1872, p. 349.

³*Fighting at Fort Mitchell*, Peter A. Brannon, in *Montgomery Advertiser*, December 18, 1932; *The Crawford-Burnside Duel*, Wm. B. Collins, *Gulf States Historical Magazine*, Vol. 2, No. 1, July 1903, p. 54.

in Alabama, ran through the reserve. Georgia duelists claimed exemption from the laws of their state for they went outside and they further held that the area was not in Alabama, as it was in a United States Military-Creek Indian Reservation. I have often had pointed out to me by the descendants of the Crowell and Cantey families, who still own this property, the locust tree where one participants stood as he fired and the place in the road where the other one faced him. The paced area between them appears to be about ten or twelve yards. The tree looks old and it might be the self same one. The ground there is sandy, so the story that the bullet threw sand in the face of Mr. Crawford, may be true.

The Camp-Woolfolk duel is told of in the manner of reporting of that day, by the Columbus, Georgia, *Enquirer*, and I quote it.

“On Monday last, 23d instant, an unfortunate meeting, commonly known by the name of an affair of honor, took place near Fort Mitchell, between Gen. Sowell Woolfolk and Major Joseph T. Camp, which terminated in the death of the former. Gen. Woolfolk was shot through the breast, and expired in a few seconds, and Major Camp narrowly escaped life, being shot through the abdomen, but fortunately for him without entering the hollow.

“The next day the body of Gen. Woolfolk was brought to this city and interred with military and Masonic honors. His remains were followed by the most numerous and respectable concourse of his friends, acquaintances and fellow-citizens which has ever been seen on such an occasion.

“In recording this melancholy occurrence humanity shudders at the reflection that the talents, worth and chivalry of our country should be subject to such a barbarous custom. No matter how high and respectable in society, how surrounded with friends, how closely united and necessary to the peace and comfort—yea, even the necessity of a wife and family—how useful and important to the State—all must bow before the unrelenting

tyrant. Gen. Woolfolk was a warm, devoted friend, a kind and an affectionate brother, a tender and indulgent husband and father, the idol of his family, and occupied a high position in the influence of his fellow-citizens. But he is no more! His relatives bewail his loss; to his country, his talents and usefulness are gone forever. He has frequently represented this county in the Legislature of the State, and by that body was promoted to the rank of a Brigadier-General, and he has never sought in vain the confidence and suffrage of his generous people. But he is gone forever. No more shall his high and buoyant step gladden the heart of his disconsolate wife; no more shall his cheering voice awaken the smile of his infant child. 'Alas! nor wife nor child shall he again behold; nor friends nor sacred home'."*

Major Camp and General Woolfolk were both members of the Georgia Legislature and during the session of 1832, had a personal difficulty at Milledgeville, which was followed by anonymous correspondence in the Columbus newspaper. Major Camp was challenged by Gen. Woolfolk for "personal satisfaction," and the Fort Mitchell duel resulted. Camp killed Woolfolk with the first shot.

Major Camp was shot to death two years later on the street in Columbus, by Colonel John Milton, but his opponent was not brought to trial as it was admitted that had Camp had the first chance to shoot, he would have killed him. Camp's "aim" was widely known.¹

Still another encounter planned and purposely held outside the state, was the one fought by Bushrod Washington Bell and Major John S. Bailey, of Montgomery. This one lasted for four "rounds." The first three exchanges of shots resulted in no damage, but at the fourth firing each contestant received wounds in the leg. I have in my possession the correspondence incident to this affair. Major Bailey challenged and Mr. Bell, in language

*Martin, *History of Columbus, Georgia*, excerpted from the *Columbus Enquirer* (next copy following) January 23, 1832.

¹Columbus, *Enquirer*, August 10, 1833.

carefully selected, insisted on the encounter, for which it took some weeks to arrange. Major Bailey had to send to Georgia to get a pair of pistols and then had to arrange for a meeting place outside of Alabama, across Line Creek from Montgomery County and in the Indian Nation. Major Bailey wrote his wife a letter the day before the set date, tenderly assuring her that he considered it his duty to take the step. He also appointed the administrators to handle her business affairs for her—in case he was killed—and sent an endearing message to his daughter. Neither contestant was badly hurt. The family (the present day kin) of Major Bailey, say it was so planned in the beginning.¹

The duel between William L. Yancey and Hon. T. L. Clingman of North Carolina, was not an Alabama incident, but it affected the future of Mr. Yancey who spent his last years as a citizen of this state.²

The story of Cahawba, during its flush times, is replete with tales of hot encounters and gravestones in the cemetery there recite the statement that he who rests thereunder “was murdered in a duel.” The handed down traditions of Glennville, in Russell, say that “affairs of honour” were settled there.

Andrew Jackson's duel with Charles Dickinson is not actually a part of this story, but the warm place in the hearts of all Alabamians held by Rachel and General Jackson merits a mention of it. Then too, this historic event is so minutely set out in Parton's life of the distinguished Tennessean, that we can learn just how these affairs of honors were managed. In this case the Seconds agreed, after some argument, on a day. Then they agreed that the distance was to be twenty-four feet (eight paces) and that the parties must stand facing each other with their pistols down perpendicularly. Further, when they were ready, the single word, Fire, was to be given, at which time they were to fire as soon as they pleased. Should either party fire before the word was given, the Seconds pledged themselves to shoot

¹Papers, marked *Bell-Bailey Duel*, in private hands.

²See reference to Relief Act of 1846, in Yancey and Sayre case.

him down instantly. The choice of the one to give the word was determined by lot. Likewise the choice of position. Dickinson's Second won the choice of position and Jackson's Second, General Thomas Overton, an old Revolutionary soldier, won the right to give the word. Dickinson fired immediately after General Overton gave the order, using the Tennessee pronunciation, "Fere," and he hit Jackson. As the latter did not fall, Dickinson assumed that he had missed him and in his excitement, recoiled a pace or two. General Overton immediately shrieked, "Back to the mark, Sir," and threatened him. When his opponent had resumed his place at the peg, Jackson took deliberate aim and pulled the trigger. The pistol neither snapped nor went off. When the General discovered that it had stopped at half cock, he drew it back to its place, took aim a second, fired, mortally wounding his adversary.

Old Saint Stephens was an iniquitous place, now not one stone rests on the other where one thousands lived, but historians claim that not one duel was fought there. Old Cahawba has gone from the face of the earth.

The earthwork at Fort Mitchell may still be discerned. The Federal Road is yet defined by an avenue of one hundred and thirty-five year old cedar trees. No semblance of the old Indian Agency is left. There are no Indians. There are no United States soldiers. There is sublime stillness in the two little God's Acres which hold the ashes of Indian fighters, pioneers and the like. The site is sacred in memories and beautifully lonesome. It is not now remindful of the dueling days of the 1820's.

ARISTOCRATIC HOT-HEADS IN MOBILE DUEL

By C. M. STANLEY
Editor The Alabama Journal

One of the last great formal duels in Alabama was fought inside the city limits of Mobile, May 7, 1859. The combatants were from two of Mississippi's most prominent families and the duelists with their seconds came to Mobile to settle their quarrel on the so-called field of honor. Laws had become very strict against dueling both in Mississippi and in Alabama so that the dueling party had to move quickly and secretly.

The combatants were Henry Vick, nephew of the founder of the city of Vicksburg, and Lawrence Washington Stith, descendant of the Washington family of Virginia.

Henry Vick lived on the large family plantation a few miles from Vicksburg and Vick and Stith had always been friends. On an occasion in 1859 Stith was one of the guests at a house party on the Vick plantation and the two men were in a boat fishing when a dispute arose between them and Stith got out of the boat, telling Vick never to speak to him again.

Just what happened in the boat has never been known clearly, but the late Dr. Erwin Craighead, editor of the Mobile Register and notable historian, devoted much time to investigating the details of this famous duel in Mobile. In his book "From Mobile's Past" Dr. Craighead writes that Vick's overseer showed an act of rudeness toward Stith, and Stith thought Vick should have protected him, but failed to do so. Vick's failure to take Stith's side against the overseer caused the angry admonition to Vick never to speak to him again, as he got out of the boat.

Some time later the two men met in a billiard room in New Orleans when Stith was invited to join a party of gentlemen to take a drink. Stith refused, according to Dr. Craighead, and when asked his reason said that he could not drink with Vick "because," he added, turning to Vick, "you are no gentleman." Vick drew back, and Stith made a pass at him. Vick, reads the

account, drew a pistol and was about to shoot when A. G. Dickinson seized Vick's hand and held it up so that the pistol could not be fired.

Vick sent a challenge to Stith, his seconds being Mr. Dickinson and Colonel Lockridge. Stith's seconds were Tom Morgan and Frank Cheatham, both of Baton Rouge, and they promptly accepted the challenge on Stith's behalf.

They agreed to fight with Kentucky rifles at thirty paces, the men to fire at the word. All thought the safest place for the duel was in Alabama and the entire party took the mail boat from New Orleans to Mobile. Very secretly they selected what was then known as "Holly's Garden," where William de Forrest Holly had his residence. The grove later was occupied by Emerson Institute on Scott Street just north of Charleston in Mobile.

Vick was thought to have had the advantage of Stith because Vick was a famous shot who could hit a running deer with a rifle.

Vick fell dead at the first fire with a bullet through his forehead. He had aimed at Stith's head and the bullet struck a tree just over his head. Stith, not such a good shot, aimed for Vick's body and hit the head.

Police had got wind of the affair and Stith and his seconds barely escaped on the mail boat back to New Orleans. Vick's seconds were concealed in the home of Dr. Lawrence A. McClesky on St. Francis Street. Dr. McClesky had attended receptions in his youth given by Madame Octavia LeVert, a famous hostess in Mobile.

Vick's body was lying at the undertaker's and in desperation Mr. Dickinson called in Capt. Harry Maury, chief of police, and told him everything and asked his help in getting his friend's body prepared and taken aboard the boat for New Orleans.

Capt. Maury secretly consented, even while his policemen were still searching for the dueling party.

The duel was a tragedy in more ways than one. Vick was killed almost on the very eve of his wedding to Helen Johnstone, daughter of John T. Johnstone, who had a 40-room mansion 15 miles north of Jackson, Miss., named "Annandale."

On the same boat to Vicksburg with the body of Vick were a caterer from New Orleans and his crew of waiters and cooks and materials for the wedding feast, the caterer knowing nothing of the situation until the boat reached Vicksburg.

Vick's remains, at his fiancée's request, were brought to Annandale and buried in the gothic chapel church yard which Mr. Johnstone, a younger son of the Earl of Johnstone of Annandale, Scotland, had built on his premises. Miss Johnstone cut off locks of her hair and placed them on the breast of her dead lover. On the gravestone were only the words: "Henry Gray Vick, Entered into Rest, May 7, 1859."

Stith joined the Confederate forces and was killed at Vicksburg in 1863 and buried in the grounds of the old Stith residence in that city. Miss Johnstone after many years married the Rev. George C. Harris, a protege in his youth of Bishop Charles T. Quintard of Tennessee, and boyhood friend of Dr. Craighead.

Annandale, the famous ante-bellum Johnstone residence, was destroyed by fire Sept. 3, 1924, the owners, Mr. and Mrs. Harlan Gray, barely escaping with their lives and losing all the valuable furniture and household treasures collected over a period of a hundred years. The mansion was begun in 1820 and required three years in its construction.

—Sunday, January 30, 1955.

Columbus, Ga., June 27, 1854.

A DUEL.*—*Messrs. Editors:* I had the misfortune on last Saturday afternoon, as I was passing along the road from Marion, Miss., to Mount Sterling, Ala., to witness the fighting of a duel between Gen. J. C. Saunders, of Alabama, and Judge Evans of Mississippi.

Five rounds were fired; the first round, General Saunders received a ball in his left arm, but the bone was not injured nor any blood vessel ruptured; the third round he was again slightly struck in the right breast, the ball passing just under the skin. No fears are entertained, however, from his wounds.

The fifth round Judge Evans was shot and dangerously wounded, the ball entering his breast. The difficulty seems to have originated from very harsh language used by Gen. Saunders, in reply to a speech that Judge Evans made before the Literary Society of the Western Military College in Alabama.

Some twelve months ago the Society appointed Gen. Saunders to deliver the annual address, to take place last April. A short time after he was appointed he left the State and went to Charleston, S. C., where he remained until about the 1st of April. When he returned he found that Judge Evans had been appointed in his stead to deliver the address. The day arrived, and these two gentlemen both attended the school, and both made speeches, *able speeches*—Evans speaking first. In the course of his remarks he alluded to the General's leaving so soon after receiving the appointment the year previous, and stated that "he fled from the undertaking." Gen. Saunders, in reply, stated the reasons why he left, and gave the lie to Evans' assertion, and used other abusive language to the Judge, which resulted that evening in a challenge.

*Gen. Saunders was a Major General in the Alabama Militia. There is no reference in the biographical data in the Alabama Department of Archives and History which would indicate his place of residence at the time of the duel but in the location in 1852, for the commanding officer of militia in that area, it is suggested that he lived in Choctaw County.

Judge Evans is a native of Charleston, S. C.; he left there when quite young and went to Mississippi, where, at the age of 23, he engaged in the practice of law and soon became distinguished in his profession, and at 27 years of age he was elected Judge of the Circuit Court. He has a wife and three children. General Saunders is a very young man, not more than 24 years of age, but possessed of great ability and extraordinary talents. He is a farmer, and a native of North Carolina; he has no wife nor children. It is indeed very bad that difficulties of so sad a nature should occur between such men, men who bid fair to be shining lights to their country.

This duel was fought in Mississippi, near the State line.—
Correspondence Charleston Courier.

—(Jones Valley Times, July 8, 1854.)

EXTRACTS FROM THE TRAVELS OF
WILLIAM BARTRAM¹

November 27th, 1777, set off from Mobile, in a large boat with the principal trader of the company, and at evening arrived at *Taens* (Tensaw), where were the pack-horsemen with the merchandise, and next morning as soon as we had our horses in readiness, I took my last leave of Major Farmer,² and left *Taens*. Our caravan consisted of between twenty and thirty horses, sixteen of which were loaded, two pack-horsemen, and myself, under the direction of *Mr. Tap-y* the chief trader.³ One of our young men was a Mustee Creek, his mother being a Choctaw slave, and his father a half breed, betwixt a Creek and a white man. I loaded one horse with my effects, some presents to the Indians, to enable me to purchase a fresh horse, in case of necessity; for my old trusty slave, which had served me faithfully almost three years, having carried me on his back at least six thousand miles, was by this time almost worn out, and I expected every hour he would give up, especially after I found the manner

¹Bartram was a Philadelphia born man of some *thirty-seven* years of age who had previously visited the South in company with his father, John Bartram, but he had not reached into the Creek Indian country, having gone on his first trips to Florida and east Georgia. There are some discrepancies in the accounts in the several copies of Mr. Bartram's journal, some showing dates which differ from others. He was without doubt, in that section west of the Chattahoochee River during the latter half of the year 1776 and on his return to Philadelphia, he was at Autossee in our Macon County, on January 1st, 1778.

The John Bartram Association, Inc., in Philadelphia, is a group whose purpose it is to preserve the homestead and the grounds of the old home of John and William Bartram. The house is in the Germantown section.

²Major Farmer resided at a location on the upper Tensas River, above our present Stockton, maintaining a home there because of the unhealthful situation at Mobile. Robert Farmer was the British governor of the Mobile Colony who served several years prior to the American Revolution. He has descendants residing today in Washington City.

³This man Tap-y, referred to as the chief trader, was undoubtedly one of the employees of James Germany the licensed trader at Kulmui.

of these traders' travelling. They seldom decamp until the sun is high and hot; each one having a whip made of the toughest cow-skin, they start all at once, the horses having ranged themselves in regular Indian file, the veteran in the van, and the younger in the rear; then the chief drives with the crack of his whip, and a whoop or shriek, which rings through the forests and plains, speaks in Indian, commanding them to proceed, which is repeated by all the company, when we start at once, keeping up a brisk and constant trot, which is incessantly urged and continued as long as the miserable creatures are able to move forward; and then come to camp, though frequently in the middle of the afternoon, which is the pleasantest time of the day for travelling; and every horse has a bell on, which being stopped when we start in the morning with a twist of grass or leaves, soon shakes out, and they are never stopped again during the day. The constant ringing and clattering of the bells, snaking of the whips, whooping and too frequent cursing these miserable quadrupeds, cause an incessant uproar and confusion, inexpressibly disagreeable.

After three days travelling in this mad manner, my old servant was on the point of giving out, and several of the company's horses were tired, but were relieved of their burthens by the led horses which attended for that purpose. I was now driven to disagreeable extremities, and had no other alternative, but either to leave my horse in the woods, pay a very extravagant hire for a doubtful passage to the Nation, or separate myself from my companions, and wait the recovery of my horse alone; the chief gave me no other comfortable advice in this dilemma, than that there was a company of traders on the road a-head of us from the Nation, to Mobile, who had a large gang of led horses with them for sale, when they should arrive; and expected, from the advice which he had received at Mobile before we set off from thence, that this company must be very near to us, and probably would be up to-morrow, or at least in two or three days; and this man condescended so far as to moderate a little his mode of travelling, that I might have a chance of keeping up with them until the evening of next day; besides I had the comfort of observing that the traders and pack-horsemen carried themselves

towards me with evident signs of humanity and friendship, often expressing sentiments of sympathy, and saying that I must not be left alone to perish in the wilderness.

Although my apprehension on this occasion was somewhat tumultuous since there was little hope, on the principle of reason, should I be left alone, of escaping cruel captivity, and perhaps being murdered by the Choctaws (for the company of traders was my only security, as the Indians never attack the traders on the road, though they be trading with nations at enmity with them) yet I had secret hopes of relief and deliverance, that cheered me, and inspired confidence and peace of mind.

About the middle of the afternoon, we were joyfully surprised at the distant prospect of the trading company coming up, and we soon met, saluting each other several times with a general Indian whoop, or shout of friendship; then each company came to camp within a few paces of each other; and before night I struck up a bargain with them for a handsome strong young horse, which cost me about ten pounds sterling. I was now constrained to leave my old slave behind, to feed in rich cane pastures, where he was to remain and recruit until the return of his new master from Mobile; from whom I extorted a promise to use him gently, and if possible not to make a pack-horse of him.

Being now near the Nation, the chief trader with another of our company set off a-head for his town, to give notice to the Nation, as he said, of his approach with the merchandize, each of them taking the best horse they could pick out of the gang, leaving the goods to the conduct and care of the young Mustee and myself. Early in the evening we came to the banks of a large deep creek, a considerable branch of the Alabama; the waters ran furiously, being overcharged with the floods of rain which had fallen the day before.⁴ We discovered immediately that there was no possibility of crossing it by fording; its depth

⁴This stream is, according to students who have examined the topography of the county, Pintlala Creek. The writer probably followed the trading path which crossed the stream quite near the mouth (about where

and rapidity would have swept our horses, loads and all, instantly from our sight; my companion, after consideration, said we must make a raft to ferry over our goods, which we immediately set about, unloading our horses and turning them out to range. I undertook to collect dry canes, and my companion, dry timber or logs and vines to bind them together; having gathered the necessary materials, and laid them in order on the brinks of the river, ready to work upon, we betook ourselves to repose, and early next morning set about building our raft. This was a novel scene to me, and I could not, until finished and put to practice, well comprehend how it could possibly answer the effect desired. In the first place we laid, parallel to each other, dry, sound trunks of trees, about nine feet in length, and eight or nine inches diameter; which binding fast together with grape vines and withs, until we had formed this first floor, about twelve or fourteen feet in length, we then bound the dry canes in bundles, each near as thick as a man's body, with which we formed the upper stratum, laying them close by the side of each other, and binding them fast; after this manner our raft was constructed. Then having two strong grape vines, each long enough to cross the river, we fastened one to each end of the raft, which now being completed, and loading on as much as it would safely carry, the Indian took the end of one of the vines in his mouth, plunged into the river and swam over with it, and the vine fixed to the other end was committed to my charge, to steady the raft and haul it back again after being unloaded. As soon as he had safe landed and hauled taught his vine, I pushed off the raft,

DeSoto crossed in 1540) and not far from the Western Railway of Alabama's station, Manac, near the boundary line of Lowndes County.

The arrival at the Tallapoosa River "in the evening," must have been at the place understood by present students as the lower one of the three Shawnee towns. Sawanoga, or as he spells it, "Savannuca," was composed of a town and two branch towns on the south side of the Tallapoosa River, never on the north side, in Montgomery County. The main trail actually led to Muklasa. There may have been a branch from this trail leading up two or three miles to that Shawnee village located about the site of the old Ernest Dreyspring plantation. This is two miles above the mouth of our Seven Mile Branch. This stream is on some maps shown as *Sawanoogi Creek* and Bartram may have meant that he was arriving at *Sawanogi Creek*, not town.

which he drew over as quick as possible, I steadying it with my vine; in this manner, though with inexpressible danger of losing our effects, we ferried them all safe over. The last load, with other articles, contained my property, with all my clothes, which I stripped off, except my breeches, for they contained matters of more value and consequence than all the rest of my property put together; besides I did not choose to expose myself entirely naked to the alligators and serpents in crossing the flood. Now seeing all the goods safe over, and the horses at a landing place on the banks of the river about fifty yards above, I drove them all in together, when, seeing them safe landed, I plunged in after them, and being a tolerable swimmer, soon reached the opposite shore. But my difficulties at this place were not yet at an end, for our horses all landed just below the mouth of a considerable branch of this river, of fifteen or twenty feet width, and its perpendicular banks almost as many feet in height above its swift waters, over which we were obliged to carry every article of our effects, and this by no other bridge than a sapling felled across it, which is called a raccoon bridge; and over this my Indian friend would trip as quick and light as that quadruped, with one hundred weight of leather on his back, when I was scarcely able to shuffle myself along over it astride. At last having re-packed and sat off again, without any material occurrence intervening, in the evening we arrived at the banks of the great Tallapoosa River, and came to camp under shelter of some Indian cabins, in expansive fields, close to the river bank, opposite the town of *Savannuca*. Late in the evening a young white man, in great haste and seeming confusion, joined our camp, who immediately related, that being on his journey from Pensacola, it happened that the very night after we had passed the company of emigrants, he met them and joined their camp, in the evening; when, just at dark, the Choctaws surrounded them, plundered their camp, and carried all the people off captive, except himself, he having the good fortune to escape with his horse, though closely pursued.

Next morning very early, though very cold, and the surface of the earth as hoary as if covered with a fall of snow, the trader standing on the opposite shore entirely naked, except for a

breech-clout, and encircled by a company of red men in the like habit, hailed us, and presently with canoes, brought us all over with the merchandize, and conducted us safe to the town of *Mucclassee*,⁶ a mile or two distant.

The next day was a day of rest and audience; the following was devoted to feasting, and the evening concluded in celebrating the nuptials of the young Mustee with a Creek girl of *Mucclasse*, daughter of the chief and sister to our *trader's wife*.⁶

The trader obliged me with his company on a visit to *the Alabama*,⁷ an Indian town at the confluence of the two fine rivers, the Tallapoosa and Coosau, which here resign their names to the great Alabama, where are to be seen traces of the ancient French fortress, Thoulouse; here are yet lying, half buried in the earth, a few *pieces of ordnance*,^{*} four and six pounders. I observed, in a very thriving condition, two or three very large ap-

⁶The town of Mucclassee, was what is generally known as "Muklasi," a town which must have existed on both sides of the stream and was located on what we know today as the Dr. William Westcott place, in northern Montgomery County, some nine miles east of Montgomery. It was a town of considerable antiquity, and the most eastern one in the Creek country which continued to practice Alibamo customs.

⁶The trader's wife referred to, is the Indian wife of John Tarwin (sometimes known as Tarvin), a man frequently mentioned in connection with Mr. Germany. He is not accounted for in 1796.

⁷"The Alabama," an Indian town at the confluence of the two fine rivers, referred to was the town of Taskigi, generally understood, to be a Creek town but Mr. Bartram's observations are strengthened by archeological investigations conducted at this point during the past hundred years. Pre-historic evidence suggests that the original people living there were not Creeks, though these people did subsequently occupy the site.

^{*}The "pieces of ordnance" found by him were the remnants of eight cannon mounted there in the early days of the French occupancy. The Indian town was about a quarter of a mile down stream from French Toulouse. Two of the cannon seen by Mr. Bartram in 1777 (you should note that he was here during Christmas week and actually on Christmas Day), were re-mounted, in 1814, on Fort Jackson when General Pinckney christened that point to honor General Andrew Jackson. One of these guns was exploded in Montgomery on February 25, 1825, in a political celebration. It is now in the Department of Archives and History.

ple trees, planted here by the French. This is, perhaps, one of the most eligible situations for a city in the world; a level plain between the conflux of two majestic rivers, which are exactly of equal magnitude in appearance, each navigable for vessels and perriaugas at least five hundred miles above it, and spreading their numerous branches over the most fertile and delightful regions, many hundred miles before we reach their sources in the Apalachean Mountains.

Stayed all night at *Alabama*, where we had a grand entertainment at the public square, with music and dancing, and returned next day to *Mucclassee* where being informed of a company of traders about setting off from *Tuckabatche* for Augusta, I made a visit to that town to know the truth of it, but on my arrival there they were gone; but being informed of another caravan who were to start from the Ottassee town in two or three weeks time, I returned to *Mucclassee* in order to prepare for my departure.

Now having all things prepared for my departure, early in the morning, after taking leave of my friend the trader of *Mucclassee*, I sat off, passed through continued plantations and Indian towns on my way up the Tallapoosa River, being everywhere treated by the inhabitants with marks of friendship, even as though I had been their countryman and relation. Called by the way at the beautiful town of Coolome, where I tarried some time with *Mr. Germany*,⁹ the chief trader of the town, *an elderly gentleman*, but active, cheerful and very agreeable, who received and treated me with the utmost civility and friendship; his wife is a Creek woman, of a very amiable and worthy character and disposition, industrious, prudent and affectionate; and by her he had several children, whom he is desirous to send to Savanna or Charleston, for their education, but cannot prevail on his wife

⁹Mr. Germany, "the elderly gentleman," was James Germany, who must have resided here in the Nation for quite a long time. He was licensed for the town of Kulumi (and had one or two adjacent towns under his jurisdiction), by the Colonial Trade Relations Agreement of 1761, and no doubt lived here on the Tallapoosa River until his death. His family is mentioned as late as 1796.

to consent to it; this affair affects him very sensible, for he has accumulated a pretty fortune by his industry and commendable conduct.

Leaving *Coolome*,¹⁰ I re-crossed the river at *Tuccabache*,¹¹ an ancient and large town; thence continued up the river, and at evening arrived at *Attassee*,¹² where I continued near a week, waiting the preparations of the traders, with whom I was to join in company to Augusta.

The next day after my arrival, I was introduced to the ancient chiefs, at the public square or areapagus; and in the evening, in company with the traders, who are numerous in this town, repaired to the great rotunda, where were assembled the greatest number of ancient venerable chiefs and warriors that I had ever beheld; we spent the evening and great part of the night together, in drinking Cassine¹³ and smoking Tobacco. The great *council*

¹⁰*Coolone*, scientifically spelled today, Kulumí, had houses on both sides of the Tallapoosa River. The original earliest site was in our Montgomery County on the Goodwin plantation, near Cook Station, twelve miles east of Montgomery, the property now known as the Jenkins place. It was long known as Mrs. Emma Dreyspring's place. It is a mile west of Johnson's Bridge at the site of old Ware's Ferry. Note here the difference in the spelling of the name "Attassee."

¹¹The town of "Tuccabache," was on the west side of the Tallapoosa River, in our present Elmore County, two miles south of Tallassee.

¹²The town of "Ottassee" was on the east side, at that point on the south bank, of the Tallapoosa River, in present Macon County and two miles west of our Shorter town. The traveler was on the north side of the stream, went up to Tukabahchi (as we spell it today) where he crossed over a better ford and came down to Atasi (as it is scientifically spelled today) (or Autossee), as some other writers have spelled it.

¹³Mr. Bartram's description of the ceremony of the "black drink" is the one which has been the most often quoted from and referred to by subsequent writers. To understand the ceremony one must know something of the background of the history of the Creek Nation. The description embodies not only a sketch of the Council House which was generally a round house, but likewise as well he strived to describe and picture in words the *Square* of one of these towns. He possibly took the ceremony at Autossee, because it was immediately fresh in his mind and because it was more elaborately put on, and from it he could get the most ceremonial exhibition of the function. The *Square* of any town was composed of four

house or rotunda, is appropriated to much the same purpose as the *public square*, but more private, and seems particularly dedicated to political affairs; women and youth are never admitted; and I suppose, it is death for a female to presume to enter the door, or approach within its pale. It is a vast conical building or circular dome, capable of accommodating many hundred people; constructed and furnished within, exactly in the same manner as those of the Cherokees already described, but much larger than any I had seen of them; there are people appointed to take care of it, to have it daily swept clean, and to provide canes for fuel, or to give light.

As their vigils and manner of conducting their vespers and mystical fire in their rotunda, are extremely singular, and altogether different from the customs and usages of any other people, I shall proceed to describe them. In the first place, the governor or officer who has the management of this business, with his servants attending, orders the black drink to be brewed, which is a decoction or infusion of the leaves and tender shoots of the *Cassine*: this is done under an open shed or pavilion, at twenty or thirty yards distance, directly opposite the door of the council-house. Next he orders bundles of dry canes to be brought in: these are previously split and broken in pieces to about the length of two feet, and then placed obliquely crossways upon one another on the floor, forming a spiral circle around about the great centre pillar, rising to a foot or eighteen inches in height from the ground; and this circle spreading as it proceeds round and round, often repeated from right to left, every revolution encreases its diameter, and at length extends to the distance of ten or twelve feet from the center, more or less, according to the length of time the assembly or meeting is to continue. By the time these preparations are accomplished, it is night, and

buildings facing each other, but in large towns and more important towns, these four buildings were of larger and more imposing appearances. The conical Council House was actually the place where the deliberations of the large town were held. It was this building to which no women were admitted. The women did not function in governmental affairs and this building was actually the courthouse of that town. Each town in the Creek Nation exercised its own immediate governmental conduct.

the assembly have taken their seats in order. The exterior extremity or outer end of the spiral circle takes fire and immediately rises into a bright flame (but how this is affected I did not plainly apprehend; I saw no person set fire to it; there might have been fire left on the earth, however I neither saw nor smelt fire or smoke until the blaze instantly ascended upwards), which gradually and slowly creeps around the centre pillar, with the course of the sun, feeding on the dry canes, and affords a cheerful, gentle and sufficient light until the circle is consumed, when the council breaks up. Soon after this illumination takes place, the aged chiefs and warriors are seated on their cabins or sophas, on the side of the house opposite the door, in three classes or ranks, rising a little, one above or behind the other; and the white people and red people of confederate towns in the like order on the left hand; a transverse range of pillars, supporting a thin clay wall about breast high, separating them: the king's cabin or seat is in front; the next to the back of it the head warrior's; and the third or last accomodates the young warriors, etc. The great war chief's seat or place is on the same cabin with, and immediately to the left of the king, and next to the white people; and to the right hand of the mico or king the most venerable head-men and warriors are seated. The assembly being now seated in order, and the house illuminated, two middle aged men, who perform the office of slaves or servants, pro tempore, come in together at the door, each having very large conch shells full of *black drink*, and advance with slow, uniform and steady steps, their eyes or countenances lifted up, singing very low but sweetly; they come within six or eight paces of the king's and white people's cabins, when they stop together, and each rests his shell on a tripes or little table, but presently takes it up again, and, bowing very low, advances obsequiously, crossing or intersecting each other about midway: he who rests his shell before the white people now stands before the king, and the other who stopped before the king stands before the white people; when each presents his shell, one to the king and the other to the chief of the white people, and as soon as he raises it to his mouth, the slave utters or sings two notes, each of which continues as long as he has breath; and as long as these notes continue, so long must the

person drink, or at least keep the shell to his mouth. These two long notes are very solemn, and at once strike the imagination with a religious awe or homage to the Supreme, sounding somewhat like a-hoo--ojah and a-lu-yah. After this manner the whole assembly are treated, as long as the drink and light continue to hold out; and as soon as the drinking begins, tobacco and pipes are brought. The skin of a wild cat or young tyger stuffed with tobacco is brought, and laid at the king's feet, with the great or royal pipe beautifully adorned; the skin is usually of the animals of the king's family or tribe, as the wild-cat, otter, bear, rattle-snake, etc. A skin of tobacco is likewise brought and cast at the feet of the white chief of the town, and from him it passes from one to another to fill their pipes from, though each person has besides his own peculiar skin of tobacco. The king or chief smokes first in the great pipe a few whiffs, blowing it off ceremoniously, first towards the sun, or as it is generally supposed to the Great Spirit, for it is puffed upwards, next towards the four cardinal points, then towards the white people in the house; then the great pipe is taken from the hand of the mico by a slave, and presented to the chief white man, and then to the great war chief, whence it circulates through the rank of head men and warriors, then returns to the king. After this each one fills his pipe from his own or his neighbor's skin.

The great or *public square* generally stands alone, in the centre and highest part of the town: it consists of four-square or cubical buildings, or houses of one story, uniform, and of the same dimensions, so situated as to form an exact tetragon, encompassing an area of half an acre of ground, more or less, according to the strength or largeness of the town, or will of the inhabitants: there is a passage or avenue at each corner of equal width: each building is constructed of a wooden frame fixed strongly in the earth, the walls filled in and neatly plastered with clay mortar; close on three sides, that is the back and two ends, except within about two feet of the wall plate or eaves, which is left open for the purpose of a window and to admit a free passage of the air; the front or side next to the area is quite open like a piazza. One of these buildings is

properly the council house, where the mico, chiefs, and warriors, with the citizens who have business, or choose to repair thither, assemble every day in council, to hear, decide and rectify all grievances, complaints and contentions, arising betwixt the citizens; give audience to ambassadors, and strangers; hear news and talks from confederate towns, allies or distant nations; consult about the particular affairs of the town, as erecting habitations for new citizens, or establishing young families, concerning agriculture, etc. This building is somewhat different from the other three: it is closely shut up on three sides, that is the back and two ends, and besides, a partition wall longitudinally from end to end divides it into two apartments, the back part totally dark, only three small arched apertures or holes opening into it from the front apartment or piazza, and little larger than just to admit a man to crawl in upon his hands and knees. This secluded place appears to me to be designed as a sanctuary¹⁴ dedicated to religion or rather priest craft; for here are deposited all the sacred things, as the physic pot, rattles, chaplets of deer's hoofs and other apparatus of conjuration; and likewise the calumet or great pipe of peace, the imperial standard, or eagle's tail, which is made of the feathers of the white eagle's tail¹⁵ curiously formed and displayed like an open fan on a sceptre or staff, as white and clean as possible when displayed for peace, but when for war, the feathers are painted or tinged with vermillion. The piazza or front of this building, is equally divided into three apartments, by two transverse walls or partitions, about breast high, each having three orders or ranges of seats or cabins stepping one above and behind the other, which accomodate the senate and audience, in the like order as observed in the rotunda. The other three buildings which compose the square, are alike furnished with three ranges of cabins or sophas, and serve for a banqueting-house, or shelter and accomodate the audience and spectators at all times, particularly at feasts or public entertainments, where

¹⁴Sanctorium or sacred temple; and it is said to be death for any person but the mico, war-chief and high priest to enter in, and none are admitted but by permission of the priests, who guard it day and night.

¹⁵Vultur facra.

all classes of citizens resort day and night in the summer or moderate season; the children and females however are seldom or never seen in the public square.

The pillars and walls of the houses of the square are decorated with various *paintings and sculptures*;¹⁶ which I suppose to be hieroglyphic, and as an historic legendary of political and sacerdotal affairs: but they are extremely picturesque or caricature, as men in variety of attitudes, some ludicrous enough, others having the head of some kind of animal, as those of a duck, turkey, bear, fox, wolf, buck, etc. and again those kind of creatures are represented having the human head. These designs are not ill executed; the outlines bold, free, and well proportioned. The pillars supporting the front or piazza of the council-house of the square, are ingeniously formed in the likeness of vast speckled serpents ascending upwards; the *Ottasses being of the snake family or tribe*.¹⁷ At this time the town was fasting, taking medicine, and I think I may say praying, to avert a grievous calamity of sickness, which had lately afflicted them, and laid in the grave abundance of their citizens. They fast seven or eight days, during which time they eat or drink nothing but a meagre gruel, made of a little corn-flour and water; taking at the same time by way of medicine or physic, a strong decoction of the roots of the *Iris versicolor*,¹⁸ which is

¹⁶The reference to the picturesque characters and representations on the houses at Atassee, (the correct pronunciation of this name as adopted by later students is Ottassee," with the accent on the first syllable, and a short pronunciation of the second syllable, makes a sound alike "ter") makes possible the historical rendering and the application of the primitive designs so often seen on the Tallapoosa River pottery. The scroll and snake-like figures are of frequent occurrence and bowls and pots in earthenware frequently represent animals, birds, and the like.

¹⁷Present day students are contrary to the belief which the writer infers that this town was of the "Snake Clan." These whitewashed pictures on the columns supporting the awnings or porch covers and representing "speckled serpents," as he expresses it, were perhaps only fanciful designs.

¹⁸*Iris versicolor*, this plant is the common Flag Lily of marshy places and is found always with several other medicinal herbs frequently on Indian town sites. The native variety of the plant has been domesticated and developed into the very attractive *Iris* of commerce.

a powerful cathartic: they hold this root in high estimation, every town cultivates a little plantation of it, having a large artificial pond, just without the town, planted and almost overgrown with it, where they usually dig clay for pottery, and mortar and plaster for their buildings, and I observed where they had lately been digging up this root.

In the midst of a large oblong square adjoining this town, (which was surrounded with a low bank or terrace) is standing a *high pillar*¹⁹, round like a pin or needle; it is about forty feet in height, and between two and three feet in diameter at the earth, gradually tapering upwards to a point; it is one piece of pine wood, and arises from the center of a low circular, *artificial hill*, but it leans a little to one side. I inquired of the Indians and traders what it was designed for, who answered they knew not: the Indians said that their ancestors found it in the same situation, when they first arrived and possessed the country, adding, that the red men or Indians, then the possessors, whom they vanquished, were as ignorant as themselves concerning it, saying that their ancestors likewise found it standing so. This monument, simple as it is, may be worthy the observations of a traveller, since it naturally excites at least the following queries: for what purpose was it designed? its great antiquity and incorruptibility—what method or machines they employed to bring it to the spot, and how they raised it erect? there is no tree or species of the pine, whose wood, i. e. so large a portion of the trunk, is supposed to be incorruptible, exposed to the open air

¹⁹High pillar, this reference is to a pole or actually to the stump of a pine tree which had been erected in the center of a mound at that point. The artificial hill mentioned was the Indian mound of the town and this is yet there. It was a domiciliary mound and the reference by Mr. Bartram is the only known case in Southern history. A pole on the mound or in the mound there may have reference to the use of such poles as a Totem. There was generally a pole in the center of the Square, mounted in a small thrown-up embankment and on which and around which they piled the skulls of captives and to which they tied the scalps, but this reference is the only one noted by Indianologists to a pole in connection with the mound of the town.

to all weathers, but the *long-leaved Pine*²⁰ (Pin. palustris), and there is none growing within twelve or fifteen miles of this place, that tree being naturally produced only on the high, dry, barren ridges, where there is a sandy soil and grassy wet savannas. A great number of men uniting their strength, probably carried it to the place on handspikes, or some such contrivance.

On the *Sabbath day*²¹ before I set off from this place, I could not help observing the solemnity of the town, the silence and the retiredness of the red inhabitants; but a very few of them were to be seen, the doors of their dwellings shut, and if a child chanced to stray out, it was quickly drawn in doors again. I asked the meaning of this, and was immediately answered, that it being the white man's beloved day or Sabbath, the Indians kept it religiously sacred to the Great Spirit.

²⁰Mr. Bartram is in error in saying that the Pinus palustris, the long-leaf pine, did not grow within twelve miles of this site. It was growing adjacent to this place, for lumbering operations have cut trees more than one hundred years old from this vicinity in recent years, and this variety of pine is growing in limited quantities there today.

²¹The Botanist's observance as to the reverence to the Sabbath is not compatible with facts established by later students. It is not unlikely that on account of the pestilence, a recent occurrence there, that there was a fast day observance about that time and that some ceremony caused this situation which he ascribed as the observance of the white man's sacred day.

THE MUSCOGEES OR CREEK INDIANS 1519 to 1893

By DR. MARION ELISHA TARVIN

(or Turvin, as pronounced by one of the old settlers of Alabama)*

From tradition, this once most powerful tribe, from the succession of their Chiefs on down, say that they originally crossed over to America from Asia. Finally settled in the northwestern part of Mexico, forming a separate Republic from that of Montezuma. Herando Cortez, with some Spanish troops, landed at Vera Cruz and conquered the forces under Montezuma, in which battle Montezuma was killed. The Muscogees lost many of their warriors in that conflict and were unwilling to live in a country conquered by foreign assassins so they determined to seek another country. They took up a line of march eastward, until they struck Red River, upon which they built a town. The Alabamas, a tribe who were also traveling east from Mexico, but unknown to them before, came in contact with a hunting party of Muscogees and killed several of them. The Muscogees resolved to be revenged. After this the Muscogees again took up their march eastward, in the direction of the Alabamas. This incident led to the final conquest of the Alabamas by the victorious Muscogees, as will be seen. The great streams were crossed by the Muscogees in the order of their grade, the more aristocratic moving first; the Wind family, followed by the Bear, and Tiger, on down to the humblest of the clan. The army, led by the Tustennugee or war chief. The Alabamas finally settled on the Yazoo where DeSoto, the Spanish invador, destroyed their fortress in 1541. From the time the Muscogees left Mexico to the time of their settling on the Ohio, fifteen years had elapsed, which was in 1535. They were delighted with their new home. Their wisdom, prowess and numbers enabled them to subjugate the other and less powerful tribes. They had learned of the mild climate on the Yazoo, occupied by the Alabamas, and they

*The original of this paper is in the hands of Mrs. Wm. H. Durant, Government St., Mobile. Throughout South Alabama today are a number of far removed connections of the old Indian countrymen who lived in the Creek country prior to statehood.

determined to possess it. They crossed the Ohio and Tennessee and settled on the Yazoo. The Alabamas, hearing of the approach of their old enemy, fled to the Alabama and Tallapoosa Rivers and built their capitol at the present Montgomery, now the capitol of Alabama. Here they found a charming region, rich in soil, navigation, and remote from their enemies, and made permanent homes. The Muscogees remained some years on the Yazo, then hearing what a delightful country the Alabamas possessed, they took up a line of march for it, arriving in safety and full force, with their tribe in the best plight, and without opposition, took possession of it; the Alabamas fled in all directions. This is supposed to have been about 1620. Gaining a firm foothold in this new region, enjoying health, increasing population and prosperity, they advanced to the Ockmulgee, Oconee and Ogechee, and established a town where now reposes the beautiful city of Augusta, Georgia. With the Indians of Georgia they had combats but overcame them all. The Muscogees and Alabamas under the influence and in the presence of Bienville, the French Governor, became lasting friends. The Alabamas then joined the Muscogees and returned to their homes on the Alabama, Tallapoosa and Coosa Rivers. The Muscogees were living on the Ohio River when DeSoto and army passed through Alabama in 1540. They had heard of him and the strange people with him and that they were like those they had seen and fought in Mexico. The Tookabatches also joined the Muscogees confederacy. The reputation of the Muscogees had acquired for strength and a warlike spirit, induced other tribes who had become weak, to seek an asylum among them. The Uchee Tuskegees, Ozeills, the remaining band of the Natchez, the Muscogees, who appear to have been a wise and hospitable race, adopted these and a host of others—smaller bands, and thus became greatly strengthened. Tookabatcha, the Capitol of their confederacy, was situated on the west bank of the Tallapoosa. The chiefs were chosen from the Wind or mother tribe, in early days, but since 1800 the Hickory Ground and Tookabatches have both supplied chief rulers. The Muscogee confederacy had one great chief, and subordinates. They had seventy-nine towns, the ones in Alabama were as follows: Tookabatcha, Talese or Tulsie, Ofuskie, Hilubie, Attoussee, Eufaula, Coweta, Cusseta,

Hitchetee, Wetumpka, Tuskegee and Ockmulgee. Bienville planted a colony in Alabama in 1702 and founded the present city of Mobile in 1711. When the English began to explore the country and transport goods to all parts of it, they gave all the inhabitants the name of Creeks, from the many beautiful creeks and rivers flowing through the vast domain of the Muscogees. In 1714, Bienville erected Ft. Toulouse, one hundred years afterwards General Jackson, on the same spot, established Fort Jackson, now Tuskegee, where the notorious chief and warrior, William Weatherford, of the Creek confederacy, voluntarily surrendered to General Jackson, on the same spot where his grandmother Sehoy Marchand, the daughter of Captain Marchand, of Ft. Toulouse, who was born about 1722.

Her father, it will be seen later on, was killed by his own soldiers. Her mother was of the Wind family from whom the chief rulers were formerly chosen. Capt. Marchand, the commandant of Ft. Toulouse, was married to Sehoy, of the Wind family, about 1720. From this marriage they had one child, a daughter whom they named Sehoy. Capt. Marchand was killed by his own soldiers during an attack on him and his officers while at breakfast. They were afterwards shot to death. Lachlan McGillivray, a Scotch boy of sixteen summers, had read of the wonders of America. He ran away from his rich parents at Durmaglass, Scotland, and took passage for Charleston, S. C., arriving there safely in 1735 with no property but a shilling in his pocket, a suit of clothes, a stout frame, an honest heart, a fearless disposition and cheerful spirits. About this period the English were conducting an extensive commerce with the Muscogees, Cherokees and Chickasaws. McGillivray went to the extensive quarters of the packhorse traders in the suburbs of Charleston, there he saw hundreds of packhorses, pack-saddles and men ready to start to the wilderness. The keen eyes of the traders fell on this smart Scotch boy, who, they saw would be useful to them. Arriving at the Chattahoochie his master, as a reward for his activity and accomodating spirit, gave him a jack knife, which he sold to an Indian, receiving in exchange a few deer skins, these he sold in Charleston on his return. The proceeds of this adventure laid the foundation of a large fortune.

In a few years he became the boldest and most enterprising trader in the whole country. He extended his commerce to Ft. Toulouse in the Muscogee or Creek nation. At the Hickory grounds a few miles above the fort, at the present town of Wetumpka, Alabama, he found a beautiful girl by the name of Sehoy Marchand, of whose father we have already given an account. Her mother was a full-blooded Creek woman of the Wind tribe. Sehoy when first seen by Lachland McGillivray was a maiden of sixteen, cheerful in countenance, bewitching in looks and graceful in form. It was not long before Lachland and Sehoy joined their destinies in marriage. The husband established a trading house at Little Tallassee, four miles above Wetumpka, on the east bank of the Coosa and then took home his beautiful wife. From their marriage they had five children, namely; Sehoy, Alexander, Sophia and Jeanette and Elizabeth. While pregnant with her second child, she repeatedly said she dreamed of piles of books and papers, more than she had ever seen at the form. She was delivered of a boy who received the name of Alexander, and who, when grown to manhood, wielded a pen that commanded the admiration of Washington and his Cabinet, and which influenced the policy of all Spanish America. Lachlan McGillivray with his alliance with the most influential family in the nation, extended his commerce. He became wealthy and owned two plantations well stocked with negroes, upon the Savannah at Augusta, Ga., and Little Tallassee, and at Mobile he had large stores. When his son was fourteen he took him to Charleston and put him at school, and afterwards, in a counting-house, but he having no fondness for this, but a thirst for books, he finally put him under the tutorship of a profound scholar, of his name but no kin. Alexander became master of the Latin and Greek tongues, and a good belle lettres scholar, Alexander was now a man. He thought of his mother's house by the side of the beautiful Coosa, his blow-gun and the Indian lads of his own age with whom he fished and bathed, while young, of the old warriors who had so often recounted to him the deeds of his ancestors; he thought of the bright eyes of his sisters, Sehoy, Elizabeth, Sophia, and Jeannet, so one day he turned his back upon civilization and his horse's head toward his native land. About this time the Chiefs of the Creeks were getting into

trouble with the people of Georgia and with anxiety they awaited the time when Alexander McGillivray could, by his descent from the Wind family, assume the affairs of their government. His arrival was most opportune. The first time we hear of him after he left Charleston, was of his presiding at a grand national Council at the town of Coweta upon the Chattahoochie, where the adventurous Leclerc Milfort of France was introduced to him; he was at this time about thirty years of age. He was in great power for he had already become an object of attention on the part of the British authorities of the Floridas, when Col. John Tate, a British officer who was stationed upon the Coosa, had conferred upon Alexander McGillivray the rank and pay of a Colonel, and he and Tate were associated together in the interests of King George. Col. Tate, according to Pickett's history of Alabama, had now become acquainted with the most gifted and remarkable man that was ever born upon the soil of Alabama. Col. Tate was a Scotchman, of captivating address, and an accomplished scholar. He afterwards married Sehoy, the sister of Alexander McGillivray. They had one child whom they named David, who became a good, wealthy and distinguished citizen of Alabama, and was the grandfather of the writer. Pickett of Alabama was a reliable and truthful chronicler, going to great expense and labor in writing this history of Alabama which is considered authentic. There may be some errors but perhaps the best history that has ever or will ever be written of the State. He lived in the Creek nation for twenty years, understood their customs and language. In relation to the invasion of DeSoto of Alabama, he said he derived much of his information in regard to the route of that earliest discovered, from the statements of General Alexander McGillivray who was the great grand uncle of the writer. General McGillivray ruled that country with eminent ability from 1776 to 1793. On Page 75, Vol. 1 Pickett's History of Alabama, he says: "Alexander McGillivray, whose blood was Scotch, French and Indian, was made a Colonel in the British service, afterwards a Spanish Commissary with the rank of Colonel, then a Brigadier General by President Washington in 1790, with full pay of that office. He was a man of towering intellect and vast information. In 1784 McGillivray was induced to form an alliance with Spain, for various reasons,

the chief of which was that the Whigs of Georgia had confiscated his estates, banished his father, threatened him with death, and his nation with extermination, who were constantly enroaching upon Creek soil. The Spaniards wanted no lands, desired only his friendship. They offered him promotion and commercial advantages. When he had signed the treaty they made him a Spanish Commissary with the rank and pay of Colonel. In 1790 Col. Alex. McGillivray met with the secret agent sent out by Washington from New York to the Creek nation in Alabama. He, with his two nephews, David Tate, and Lachland Durant, and two negro servants, Paroband and Jonah, 24 warriors and chiefs, set out from Little Tallassee, on the Coosa, for New York, proceeding on horse-back they arrived at Stone Mountain in Georgia where they were joined by the Coweta and Cusseta chiefs.

Reaching the house of General Pickens, in South Carolina, the party received the warmest welcome; there they were joined by the Tallassee King. They again set out. Arriving at Guilford, C.H., N. C., they passed on through Richmond and Fredericksburg in Virginia, where they were treated with much kindness and consideration by prominent and distinguished citizens. Arriving at Philadelphia they were hospitably entertained for three days. Entering a sloop at Elizabeth Point they landed at New York, where the Tammany Society received them in full dress of their order. They marched up Wall Street by the Federal Hall—Congress was then in session—and next, to the house of the President, to whom they were introduced with much pomp and ceremony. They were sumptuously and elegantly entertained by the Secretary of War and Gen. Clinton at the city Tavern, which finished the day. When it became known that McGillivray had departed for New York, great excitement prevailed in Florida and Louisiana. Correspondence began with the Captain General at Havana and ended by his dispatching from east Florida an agent with a large sum of money to New York, ostensibly to buy flour but really to embarrass the negotiations with the Creeks. Washington, appraised of the presence of this officer, had his movements so closely observed that the object of his mission was defeated. Washington, communicating with the Senate advised that the negotiations with McGillivray should

he considered informally, as all overtures hitherto offered by the Commissioners had been rejected. Embarrassments existed because the commerce of the Creeks was in the hands of a British Company who made their importations from England into Spanish ports. It was necessary that it should be diverted into American channels, but McGillivray's treaty at Pensacola in 1784, could not be disregarded without breach of faith and morals on his part, but, finding, by the informal intercourse with them, that McGillivray and the Chiefs were ready to treat upon advantageous terms, Henry Knox was appointed to negotiate with them, and a treaty was concluded by him on the part of the United States, and on the other side by McGillivray and the delegation representing the whole Creek nation. It stipulated that a permanent peace should be established between the Creeks and the citizens of the United States; that the Creeks and Seminoles should be under the protection solely of the American government and that they should not make treaties with any State or the inhabitants of any State and that the boundary line between the Creeks and Georgia was to be that claimed by the latter treaty which they had at Augusta and Shoulderbone. Thus did Alex. McGillivray at last surrender the Oconee land about which so much blood had been shed and so much former negotiation had been wasted. It provided that after two years from date, the commerce of the Creek Nation should be carried on through the parts of the United States, and in the meantime through the present channel; that the Chiefs of the Ocfuskees, Tookabatches, Tallassees, Cowetas, Cussetas, and Seminoles, should be paid annually one hundred dollars each, and provided handsome medals and that Alex. McGillivray should be constituted agent of the United States, with the rank of Brigadier General, and the pay of twelve hundred dollars per annum; that the U. S. should feed, clothe, and educate Creek youths at the North, not exceeding four at one time. Thus McGillivray secured to himself new honors and a good salary, by a second treaty which left him in a new position to return home. Even in the presence of Washington and his able Cabinet the Chieftains pushed hard for favorable terms, and received them, says Pickett: "I am indebted to Col. John A. Campbell, an eminent lawyer of Mobile, and Alfred Hennan, a distinguished member of the New Orleans bar, for

placing in my hands papers filed in the district court of Louisiana, containing the letters of Alexander McGillivray to Panton, dated Little Tallassee, Ala., Sept. 20th., 1788, and August 10th., 1789, which have been copied in history at length." I also found among this file the secret treaty written upon sheep skin, signed by Washington, McGillivray and the Chiefs. A celebrated lawsuit brought in this court by the Johnson and other claimants, with the heirs of McGillivray vs. the heirs of Panton, a wealthy Scotchman, of Pensacola and at one time a partner and great friend of McGillivray. This suit was the means of preservation of those historical papers. Pickett says he has only introduced a few of McGillivray's letters to show the strength and high order of his mind. The American State papers contain many of his ablest letters addressed to Congress and the Secretary of War. The writer has a personal recollection of Judge J. A. Campbell of Mobile. It will be seen that General McGillivray is a great grand uncle of the writer. I say this without egotism or the expectation of the praise of men, for which I care nothing one way or the other. His father, Lachland McGillivray, who had been active and influential royalist—the Whigs of Georgia and Carolina felt his weight—when the British were forced to evacuate Savannah, he sailed with them to his native country, having scraped together a vast amount of money. He took an affectionate farewell of his family (Mrs. Sophia Durant and her boy, Lachland, were present on that sad occasion). His plantations, negroes, stock of cattle and stores, he abandoned, in the hope that his daughters, son and wife, Sehoy, then living, upon the Coosa, might be suffered to inherit them, but the Whigs of Georgia confiscated the whole of this valuable property. A few negroes who had fled to the Nation, were added to those already at the residence of Sehoy; thus Alex. McGillivray and sisters were deprived of a large patrimony. He had displayed eminent ability in his dealings with the rival powers, the American, English, and Spanish, who, he felt, cared nothing for the Creeks except for self-aggrandizement. He was humane and generous to the distressed, whom he always sheltered and protected. He had many noble traits, nor the least of which was his unbounded hospitality to friend and foe. He had good houses at the Hickory Grounds and Little Tallassee, also called "Apple Grove," his birth place, where he entertained

distinguished government agents and persons traveling through his extensive domain, with ample grounds and all the comforts desirable. He said he prompted the Indians to defend their lands, "although I look upon the U. S. as our most naturally ally." He could not resent the greedy encroachments of the Georgias, to say nothing of their scandalous and illiberal abuse. He also says, "If Congress will form a government southward of the Altamaha, I will be the first to take the oath of allegiance." This he said in a letter to his friend Panton at Pensacola, in relation to his treaty with Washington. "In this do you not see my cause of triumph in bringing these conquerors of the old and the masters of the New World, as they call themselves, to bend and supplicate for peace at the feet of a people whom shortly before they had despised and marked out for destruction." In 1792 Gen. McGillivray gave up his home to Capt. Oliver, a Frenchman, whom he had so well established in the affections of his people.

He then moved to Little River, Baldwin County, Ala., where lived many wealthy and intelligent people whose blood was a mixture of white and Indian. This colony had formed at an early period for the benefit of their large stock of cattle. His death and the bloody scenes that followed. Gen. McGillivray continued to visit Gov. Carondelet at New Orleans. He owned a trading house at Manchac, La. In returning from New Orleans late in the summer of 1792, a violent fever detained him long in Mobile, recovering, he went to Little Tallassee where he wrote his last letter to Major Seagrove. He appeared to deplore the unhappy disturbances which existed and ascribed them to the influence of the Spaniards over affairs. He had often responded to the letters of the Secretary of War in relation to carrying out the provisions of the N. Y. treaty, and he had explained to the Chiefs and had urged them to comply, but the Spanish influence defeated his recommendations, etc. Pickett says, "This remarkable man was fast approaching dissolution, he had long been afflicted. He spent the winter upon Little River, which divides Monroe and Baldwin Counties, Ala., the account of his death will here be given in the language of the great Scotch merchant, in a letter dated Pensacola, April 10th, 1794, and addressed to Alexander's father, Lachland McGillivray, at Dun-

maglass, Scotland. "I found him deserted by the British, without pay, without money, without property except sixty negroes and three hundred head of cattle, and he and his Nation threatened with destruction by the Georgians unless they agreed to cede them the better part of their country, I pointed out a mode that succeeded beyond expectations." "He died 17th., of Feb. 1793 of inflamed lungs, and stomach troubles; no pains, no attention was spared to save the life of my friend, but he breathed his last in my arms, I had advised, I supported, I pushed him on to be the great man he was." Spaniards and Americans felt his weight and this enabled him to lead me after him so as to establish this house with more solid privileges than without him. He had three children now left without a father or mother and with no friends except you and me. Panton possessed great wealth, owned large stores and vessels in his immense trade. General McGillivray was interred with Masonic honors, in the splendid garden of William Panton, in the city of Pensacola. He was a severe loss to that man and the Spanish government. His death was deeply regretted by the Indians everywhere. The great Chieftain who had long been their pride and who had elevated their nation, and sustained them in their trials now lay buried in the sands of the Seminoles. Gen. McGillivray was six feet high, remarkably erect in person and carriage, and was a charming entertainer. He had a bold and lofty head; his eyes were dark and piercing and he was often spoken of and looked upon with admiration. His fingers were long and tapering and he wielded a pen with great rapidity. His face was handsome and indicative of quick thought and much sagacity. Unless interested in conversation he was disposed to be taciturn, but he was always polite and respectful. When a British Colonel he dressed in British uniform, and when in the Spanish service he wore the military dress of that country. When Washington appointed him Brigadier General he sometimes wore the uniform of the American army, but never in the presence of the Spaniards. Pickett calls him the "tallyrand of the South." Col. Tate, a British officer, married his sister, Sehoy in 1768, as mentioned before, and they had one child whom they named David, born in 1778 at Little Tallassee on the Coosa River, at the residence of his uncle, Alex McGillivray. When a boy he was taken North by his uncle, Gen. McGillivray, and placed at school

under the supervision of Gen. Washington, where he remained five years, and after the death of McGillivray he was sent to Inverness College, Scotland, by Panton of Pensacola, with McGillivray's son, where he finished his education. He returned in 1800 to the Creek Nation in Ala., and took possession of his property which had been in the hands of Gen. McGillivray. He was a man of stern character, reserved manners, classical education and was a most powerful judge of human nature, and memory of men. He was possessed of an ample fortune and dispensed it with a liberal hand in the way of charity, on those who were in need and worthy. He had a remarkable influence over men whom he desired to bend to his will. The same year he returned from Scotland he married Miss Mary Randon, both of Baldwin Co., Ala. She was of French and Creek blood; the fruits of this marriage were three daughters, Louisa, Elizabeth and Theresa. Louisa married George Tunstall, brother of Col. Thomas Tunstall, who was Secretary of State during Gov. A. P. Bagby's administration of Alabama. He was brother of Dr. Peyton Tunstall, who was the father of Virginia, the accomplished and estimable wife of U. S. Senator C. C. Clay of Ala. From this marriage they had eight children, Thomas Tate, Mary Ann, Peyton Randolph, Lucy, Elizabeth, Rebecca, Geo. Washington and Edmund. Thomas Tate was appointed U. S. Consul to Cadiz, Spain, in 1856, returning to Ala. in 1865. In 1888 he was appointed Consul to San Salvador by President Grover Cleveland, and removed by President Harrison. He was educated at the University of North Carolina and speaks several languages, he resides at Mobile; he married a Miss Crossland and has two sons. Mary Ann married Dr. Wm. L. Tunstall and had four children: Laura, Percy, Thomas and Arthur. Lucy married Alexander Lumsden, a nephew of Frank Lumsden, formerly editor of The New Orleans Picayune, and had several children, one son, Capt. Frank Lumsden of Mobile, who married a daughter of Gen. Van Dorn; Peyton Randolph married Miss Laura Slaughter and had four sons, Peyton and Thomas (now dentists of Mobile), and Edmund and Clay. Rebecca married William Hobbs, they had one daughter, Willie, now Mrs. Neville, of Mobile. Elizabeth married John D. Weatherford of Monroe County, (a nephew of William Weatherford the warrior) and

had several children. The writer was at her wedding which was a brilliant affair. Elizabeth Tate married Elijah Tarvin; two sons now living in the Creek Nation, Geo. W. and Elijah Douglas. Theresa Tate married Elisha Tarvin on the 26th. of Dec. 1825, (he was a brother of Elijah), they had eight children, William, Virginia, Elizabeth, Richard Maiben, Marion Elisha (the writer), Victoria, Miller Tate, Edgar James, all born in Baldwin County, Alabama. Elizabeth married William H. Stidham and had three children, James Emanuel, Elisha and Ross. Marion Elisha married Miss Sophia Frances, the youngest daughter of Pleasant White, of Sumpter County, Alabama, and had two sons, Pleasant Floyd and Beauregard Coats.

John Coats, the grandfather of Sophia Frances White, (now Mrs. Marion E. Tarvin), moved from South Carolina to Alabama at an early date, and settled in Green County, representing that district in the State Senate several terms. Victoria married Frank Lawson, and had two daughters, Fannie and Josephine, (now Mrs. Brown of Choctaw County, Ala.). Marion Elisha, the writer, finished his literary studies under the Beal brothers, at Wilkes Academy, of Maury County, Tennessee, after which he studied medicine, and dentistry, and was graduated from Baltimore College of dental surgery in 1867. He was 2nd Lt. in the 40th. Alabama volunteer regiment, Holtzclaw's Brigade, Withers' Division, Polk's Corps Confederate Army. Miller Tate Tarvin was a Confederate soldier in 3rd. Alabama Cavalry, Ruffin Dragoons, Ft. Gaines, Captain of Escort Company to Gen. A. S. Johnston. He was present on the battle field when Gen. Johnston was killed. Miller came to a tragic end by being waylaid and killed by a cowardly assassin. Edgar James was a Confederate soldier in the 40th Ala. Vol. Regiment. William Tarvin, the father of Elijah and Elisha, came from England and first settled in Burke County, Georgia, was married to Miss Mary Miller, afterwards settled in Baldwin County, Ala., and died there about 1812. David Tate, having lost his wife, who was killed, with her father and mother at Fort Mims (David was at Pierce's, three miles distant at the time) he married Mrs. Margaret Powell in 1819 and had one child, a daughter, Josephine, who married Jas. D. Dreisbach in 1844, both now living. They had fourteen

children, namely: Ida, Charles Henry, Florence, Percy Webb, Arthur Carroll, Mabel, Viola, Kate, Maude, Lee (Physician), Bertha, Lelia, Annie Moniac, Josephine Tate, Sehoy Rosannah; all born in Baldwin Co., Alabama. Sehoy Tate, the sister of Gen. McGillivray, after the death of her husband in 1778, married Charles Weatherford, an Englishman who came to the Creek Nation some years prior to 1778 from Georgia. He was a man of means and was a government contractor, and constructed and owned the first race courses in Alabama. From this marriage they had five children; three sons and two daughters, namely: William, (the warrior), John, Elizabeth, Washington and Rosannah. This Sehoy the second, sister of Alex McGillivray, was an extraordinary woman, if only from the fact of being the mother of three very remarkable personages; David Tate (my grandafther), William, the Chief, and Rosannah Weatherford. Rosannah married Capt. Shomo, a gallant officer of the United States army. I well recollect Aunt Rosannah and Capt. Shomo, having often been at their house. She was a woman of great force of character. She was born in the upper part of Baldwin County near where rests the remains of her warrior brother, William, the "Red Eagle." Fom this marriage, they had four children: David, Joseph W., both of whom were eminent physicians of Monroe and Wilcox counties, Alabama, James Frank, Virginia and Fannie. Virginia now lives with her brother, Dr. Jos. W. Shomo. Dr. J. W. Shomo was twice married; his first wife was Miss Mary Wheadon of Virginia. They had two daughters—Mrs. Dr. Scott, the other, Mrs. King—all of Monroe County, Ala. Sophie, sister of Gen. McGillivray, was beautiful in every respect, she had an air of authority and had great influence for good. She married Ben Durant of South Carolina, a Frenchman, at Little Tallassee in 1779, on the Coosa River, Ala. They afterwards went to live in one of her father's plantations on the Savannah River. They had, by their marriage, five children: Lachlan, Sophia, and Polly and Rachel. One of the children married James Baily who was killed at Fort Mims, he was also a brother of Capt. Dixon Baily who fought so bravely in defense of Ft. Mims and was killed. Sophia married Dr. McCombs, a Scotchman. Lachlan married Miss Hall of Baldwin County in Alabama and had five sons, Jack, Charles, Martin, William

and Constance. Jack lives at Bartlett, Williamson County, Texas. He is a wealthy man and has several children. His son, Arthur, lives at Abilene, Texas. One of his daughters, Milly, married Mark Minter and has five sons. They live at Muscogee, I. T. Charles was a soldier in the Mexican War under Gen. Taylor. Martin was twice sheriff of Baldwin County, Alabama. William was engaged by the U. S. government with ex-Chief Ward Coochman in carrying the last body of 65 Creeks from Alabama to the Nation in 1849. I was present and saw them get on board a steamboat at Sizemur's wood-yard, Alabama River. Polly married Mustushobie (otherwise, Coochman), who was half white, and of the Alabama tribe.

They had one son, Ward Coochman, a well educated and very popular man of the present Creek Nation. He was twice elected Chief or Governor of his Nation, and is now a member of the Council. He lived at Alabama at the house of his uncle Lachlan Durant, until he was twenty-two years of age, when he moved to the Territory. He has been married twice and has four children: Peter, Vicey, Charles and George. Constance Durant still lives in Baldwin County, Alabama, an old bachelor. Neither William or Charles ever married. I was often at the home of Lachlan Durant during my boyhood and heard him talk of his uncle, Alexander McGillivray. Martin Durant married a Miss Bettie Pollard and had several children, the oldest named Norman. Gen. LeClerc Milford, an intelligent Frenchman, mentioned above, lived in the Creek Nation from 1776 to 1796. He wrote a history of the Muscogees or Creeks, and published his work in Paris in 1802. He married Jeannet, the sister of Gen. McGillivray of the Creek tribe. When he arrived in Paris with his wife, Bonaparte, who had heard of this adventurous man, honored him with an audience; he wished to engage the services of this man to help form an alliance with Alabama and Mississippi to strengthen his Louisiana possessions, so he made him a General of Brigade. In 1814 LeClerc Milford died at his home at Rheims. His wife survived him but a short time. John Randon, a wealthy man from Savannah, settled in Monroe County, Alabama on the Alabama River at an early day, at the mouth of Randon Creek, now known as the William Hollinger place,

where the celebrated canoe fight took place with Austill ————. He married a woman of French and Creek blood and had four children: David, Peter, John and Mary. As already shown, Mary married David Tate and was killed in Ft. Mims with her father and mother in 1813. David married a Miss McNeil. He had only one child, Prosperpine; he died at Ft. Bend County, Texas since the Confederate war. Peter, the gallant officer of Ft. Mims, commanded a citizen's Company; he made his escape with 17 others, he afterwards became a citizen of New Orleans, was a cotton factor. His second wife was an English lady, by whom he had two children, Sylvester and Louisa; after his death she returned to England. I have a pleasant personal recollection of them; he was my grand-uncle, and beloved by all who knew him. John married Miss Lottie Baldwin, of Houston, Texas, and had one daughter, Libbie, now Mrs. George L. Porter of that city. David Tate died in 1829, and was interred at one of his homes, at the beautiful spot of old Montpelier, Baldwin County, Alabama, now owned by Frank Earle, a first cousin of the writer on his father's side. David Tate and William Weatherford, the Chief and Warrior, were half brothers. David was friendly to the United States and opposed the Indian war; he met his half brother in camp the night before the attack on Ft. Mims, and endeavored to persuade William to desist. William made a speech to his 700 warriors; they accused him of treachery, but he assured them that he was true; he told them they must spare the women and children. He had raised the storm, but could not control it. John Weatherford married Patty Dyers of David Tate's second wife, they had two children: John D. and Caroline. Caroline married William and had several children. Edward was a physician who died at Muscogee, I.T. and left one child, a daughter, Lita, now living with the family of George W. Tarvin of Ockmulgee, I.T. Norville married a man by the name of Norman, in Monroe County, Alabama and moved to the Creek Nation in 1867. William Moniac, a Hollander, the father of Sam, married Polly Colbert, a Tuskegee woman who was the mother of Sam Moniac who married Elizabeth Weatherford. He went to N. Y. with Alex. McGillivray; he was presented by Washington with a medal which was buried with him at Pass Christian, Miss., in 1837; they had three children: David, Alexander, Levitia.

David Moniac, under the treaty at N. Y. was graduated at West Point. He was a Major and commanded 600 Creeks and Choc-taws against the Seminoles in the Florida war of 1836. He was killed: 13 bullets piercing his body. A braver man never lived. Levitia or Vicey, married William Sizemore of Baldwin Co., Ala., who was a son of Dixon Baily's sister, a mixture of Creek and white blood. He became a wealthy planter on the Alabama River, and has many descendants. Major David Moniac married Miss Polly Powell, (or Mrs. Saunders) and had two children; David Alexander and Margaret. David Alexander was sheriff of Baldwin Co., Ala., and served one or two terms, he died in 1880. Margaret married S. J. McDonald and had several children. After finishing with William Weatherford I will end with the McGillivray family who have married and intermarried into the best families, and constitute some of the best citizens of the South.

Many of them have made gallant soldiers and creditable citizens. William Weatherford, the warrior and Chief, married for his first wife, Polly Moniac, daughter of William and Polly Colbert; by this marriage he had three children; Charles, William and Polly. After Polly's death he married his cousin Raney, daughter of John Moniac. After her death he married Mary Stiggins, by whom he had five children. By his first wife he had several children, the oldest son was named Charles. Alexander McGillivray Weatherford, is the only one of his five children, by his second wife, who is now living. Levitia grew to womanhood and married Dr. Howell, she died and left four children. Weatherford's oldest son Charles, by his first wife, is still living in the lower part of Monroe Co., Ala. He is now ninety years of age. He has a son Charles, who married Margaret Staples. I have often conversed with this noble and venerable old kinsman. He is a handsome old man with long white flowing beard. I have often heard him telling of the McGillivray family, in the war of 1813-14 carried on by Weatherford. The family were unhappily divided. His native land was being encroached upon by the whites on all sides; this was the state to be fought for, he had another reason for fighting against the Americans, which was that he would have been charged with cowardice, which he could not brook. Unlike his brother, David Tate, he had no edu-

cation. Col. Hawkins, the Indian agent, who lived long amongst the Creeks, said a more truthful man than Weatherford never lived. It seemed as if nature had set her seal upon him in fashioning his form, for it was said you could not look upon him without being impressed with the idea that you were in the presence of no ordinary man. He was as perfect in form as nature ever made a man. As you see, he was of Indian, French, Scotch, and English blood. Educated people who conversed with him were surprised to hear with what force and elegance he spoke the English language. He carried on the war from June 1813 to December 1814, when he surrendered to Gen. Andrew Jackson at Ft. Jackson, Ala., an account of which is here given in his own words as related to me by William Sizemore, Charles Weatherford, Col. Robt. James of Clarke County and William Hollinger.

I also refer you to Pickett's history of Ala., and to the Historical Society at Tuscaloosa, Ala. After he had captured and destroyed Ft. Mims, and it's inmates (except the 17 who made their escape) he fought Gen. Jackson at Emukfa, Hilabee, Holy Ground, Horse Shoe and in various other battles in which he (Weatherford) distinguished himself. He fought as long as there was hopes of success. After the battle of the Horse Shoe when one-half of his warriors lay stretched in death upon the gory field and the women and children of his tribe were starving and hiding in the forest, when ruin and want spread throughout the land, he determined to make a sacrifice himself, in order to save the remnant of his tribe. This greater hero than ancient or modern times ever produced, went boldly forward to give his life to mitigate the sufferings of his people. Mounted on the noble steed that had carried him through all the perils of war, he started for Ft. Jackson. As he approached the Fort he met some officers and privates near the Fort who directed him to Jackson's headquarters. He rode up to Jackson's tent in front of which stood Col. Hawkins, the Indian agent, reading a newspaper. As Hawkins raised his head and saw Weatherford he exclaimed in startled surprise, "By Heaven here is Weatherford." Gen. Jackson stepped out quickly, and after looking sharply at Weatherford, exclaimed, "And what do you come here for, Sir?"

Weatherford said "I come to surrender myself to you. You can kill me if you wish to do so. I have fought you as long as I could, and did you all the harm I could, and had I warriors I would still fight you, but you have destroyed them, I can fight you no longer. I come to ask for peace, not for myself but for my people—the women and children who are starving in the forest, without shelter. If you think I deserve death you can take my life, I am a Creek warrior and not afraid to die. My talk is ended." At the conclusion of these words many who had surrounded him said, "Kill him, kill him, kill him." Gen. Jackson commanded silence and said in an emphatic tone, "Any man who would kill as brave a man as this, would rob the dead."—He then invited Weatherford to alight, and drank a glass of brandy with him, and entered into cheerful conversation under his hospitable marquee. Weatherford took no further part in the war except to influence his warriors to surrender. He went to his former residence on Little River, but soon had to leave it as his life was constantly in danger.

Gen. Jackson sent him to a secret place of safety, and after the war was over he accompanied Gen. Jackson to the Hermitage, and remained there several months. His half-brother, David Tate (my grand-father) was the only man in Alabama who knew where Weatherford was during his stay at the Hermitage. He afterwards returned to the lower part of Monroe Co., Ala., where he owned a fine plantation and a large number of slaves. He was generous and kind to all and was highly esteemed and respected by everyone for his strict integrity and manly qualities. He died in 1824, and sleeps by his mother, Sehoy, in the northern part of Baldwin Co., Ala. (near the residence of Col. J. D. Dreisbach, who married his half niece, Josephine Tate (my aunt), both of whom are now living) upon the same spot where he made his speech to his warriors on the night before he attacked Ft. Mims on the day following Aug. 30th, 1813. Though fierce his deeds and red his hand, he battled for his native land. I have had conversations with the following persons concerning the McGillivray family; Old negro Tom, who escaped from the massacre at Ft. Mims. Jonah, a body servant of Gen. McGillivray, who even remembered Lachland McGillivray. This negro

died at the house of my aunt, Mrs. Josephine Driesbach, in Baldwin Co., since the war, at a very old age. Mrs. Sizemore, mother of William Sizemore, William Hollinger, Col. J. Austill, Mobile, Linn Magbee (my father's ranch man). I was personally acquainted with the following old and distinguished citizen of Alabama: Gen. Geo. S. Gaines, he told me about the arrest of ex-vice president Aaron Burr by his brother, Capt. E. P. Gaines and his soldiers, in company with Perkins, Tom Malone and others, 1807. He was at Ft. Stoddard when Burr was brought there, he became fascinated with him and regretted the downfall of this brilliant and distinguished man; Aaron Burr remained in the Fort two weeks when he was taken in a boat up the river into Tensaw lake where they landed within a quarter of a mile of where Ft. Mims afterward stood; he was taken on horseback through Baldwin Co., stopping at the comfortable residence of my grandfather, David Tate, for dinner. They continued their line of march through the wilderness north. I was well acquainted with Judge A. B. Meek of Mobile, who wrote the "Red Eagle," (Weatherford), Gov. A. P. Bagby, S. P. Hopkins, E. S. Dargon, Reuben Chamberlain, Burwell Boykin, Judge Jno. A. Campbell, G. N. Stewart, Mordecai, a son of Abram Mordecai, a Jew who lived in the Creek Nation many years, Ned and Jesse Stidham and Dr. J. G. Holmes of Baldwin Co., the three latter escaped from Ft. Mims the time of the battle, when all were lost. Ned Stidham had a finger shot off. He married my first cousin on my father's side. His sons and I were school mates.

I cannot close without saying something on another remarkable family—the McIntosh family of Ala. McIntosh Bluff on the Tombigbee River was the first place where the first American court was held. Alabama has the honor of being the birthplace of Geo. M. Troup of Georgia. His grandfather, Capt. John McIntosh, Chief of the McIntosh Clan, of Scotland, was rewarded by the King of England, for his valuable services, with the grant of McIntosh Bluff. He had a daughter, who, while on a visit to England, married an officer named Troup. She sailed from England to Mobile and went up to McIntosh Bluff to her father's residence, where, in 1780 she gave birth to a son, Geo. M. Troup, Gov. of Georgia. Roderick McIntosh, grand uncle of Gov. Troup,

was often in the Creek Nation and was the father of Col. William McIntosh, a half breed Creek of high character, who the upper Creeks killed on account of his friendship to the Georgians. They afterwards regretted it. He was fearless in spirit and wanted to raise his people, the Creeks, to a higher degree of civilization. He did his best to put down the hostiles as he knew it would result in their ultimate ruin. He wanted them to emigrate west, to get away from whiskey and the bad influence of white men. He had been instrumental in making a treaty by which was surrendered a large tract of land that Georgia claimed. He was doing what he thought was best for his people, in securing homes and peace, but they took a wrong view of it and resolved to put him to death. About fifty of the Conspirators surrounded his house at midnight. David Tate, his friend, and my grandfather, had heard of the intended assassination and sent a trusty servant to warn McIntosh. The messenger arrived at McIntosh's residence just before the hostile band.

Gen. McIntosh immediately sent off his son, Chilly, to seek aid to defend his home; his son had been gone but a short time before his house was set on fire, and he then resigned himself to his fate. More than fifty rifles broke upon the midnight air and the noble chief fell from his door a lifeless corpse. The above facts were narrated to my uncle by an eye witness and he told them to me. The first emigration to the present Creek Nation was made under Chilly McIntosh, the son of Gen. Wm. McIntosh, in 1827, and still another until finally nearly all were settled in the new Territory, with the exception of a few scattering families who remained in Alabama. A goodly number of their descendants still live there. The Creeks exchanged their lands in Ala. for those they now occupy, with the U. S., these were patented to them by the government, and to their descendants, as long as water runs and grass grows. They are now in a prosperous condition, have a good government, towns, Capitol building, schools, colleges, asylums. They are intelligent and very hospitable. Their Nation contains 14,000 Creek citizens, 5,000 negroes and 10,000 whites. Chilly McIntosh raised a regiment during the war and joined the Confederate army. He has one son, who is now living in the Territory, the Rev. Wm. P. McIn-

tosh, a Baptist preacher, of education and refinement, and much respected by all the people in the Territory.

I have written this in answer to a letter from Prof. W. S. Wyman of the University of Ala., dated July 20th, 1893. He is engaged in writing a history of Ala. and wished more information of the McGillivray family of the Creeks of Alabama.

In conclusion I will say that Maj. James D. Driesbach, an uncle, of Baldwin Co., Ala., to whom I am indebted for valuable information in writing this history of the McGillivray's, Tates, Durants and Weatherfords. He served in the State Senate of Alabama, was born at Dayton, Ohio, married my aunt, Josephine Tate, in 1844, is of German descent, and one of the best and truest men I have ever had the good fortune to know. He is now School Supt. of his Co., but nearly blind from old age. His wife is a large, fine looking old lady, very intelligent and most estimable.

Galveston, Texas, Sept. 1893

(The statement of Dr. Tarvin set out above is one of the best accounts of these early settled families in South Alabama which is extant. It is published here in order that the many Alabamians who have through the years evinced an interest in that period of our Indian history so intimately tied with the Tensas county may have it available. The close student of our Alabama pioneer life will observe a few minor errors but these can be reconciled and are so obvious that it would be out of order to editorially criticize them. (For example the statement that Weatherford surrendered to Jackson at Fort Jackson in December 1814, which date should be the Spring of 1814.) All in all Dr. Tarvin's story is so very pertinent and full that it is commended to the reader. Ed.)

UNITED STATES LAND OFFICES IN ALABAMA,
1803-1879*

Created a Territory by Act, March 3, 1817. Admitted to the Union by Act, December 14, 1819.

Section *North* of Township line 18, on the Huntsville Meridian line, south of Huntsville, was ceded to the United States by South Carolina by Act, August 9, 1787, and added to Mississippi Territory by Act, March 4, 1804. (Township line 18 runs through about where the town of Bessemer is now.)

Section *South* of Township line 18 extended to line 32 Degrees 28 Minutes, North Latitude, about to Township line 16 North of St. Stephens' on St. Stephens' Meridian line. The line running about where the present towns of Linden, Whitehall, and Cahaba (old Girard to York) are located. Was ceded to the United States by Georgia, April 24, 1802, and included in the Mississippi Territory.

Section *South* of line 32 Degrees 28 Minutes, North Latitude, (Township line 16, North of St. Stephens' on the St. Stephens' Meridian line) and north of line 31 Degrees North Latitude, was ceded to the United States by Georgia, April 7, 1798. (Perdido—present town—is located in Township 1, Range '4, East of St. Stephens' on the St. Stephens' Meridian line).

Section *South* of line 31 Degrees, North Latitude, West from the Perdido River to the State boundary line was included in the Spanish Land Grant to the United States, and added to Mississippi Territory May 14, 1812.

*The compiled data fixing the boundary lines of the territory and the state and giving the historical set-up of the several land offices is intended to show facts relative to these offices from 1803 down to the reorganization of these federal land offices subsequent to the re-admission of Alabama after the War Between the States. This data, it will be noted, accounts for the several land districts fixed at different periods in the first 75 years of the state's history.

UNITED STATES LAND OFFICES IN ALABAMA,
1803 TO 1820

Huntsville Land District

(Old Madison County) extended South two Townships south of the original division line, and East to about Range line 5 east of the Huntsville Meridian line. This District embodied all the Northern section of the State except the Cherokee and Creek Nations on the east, and the Chickasaw Nation on the west. Provided for by Act, March 3, 1807. The Huntsville Office was opened July 27, 1810. Originally established at Nashville, Tennessee and subsequently at Twickenham. Office removed from Nashville by Act, February 11, 1811.

Cahaba Land District

(Conecuh Court House): Extended North from line 31 Degrees North Latitude to Township line 22 on the St. Stephens' meridian line. The Southern boundary from Range line 4 east of the St. Stephens' Meridian line on line 31 Degrees North Latitude to the Chattahoochee River. The Northern boundary line extended from Range line 4 east of the St. Stephens' Meridian line on Township line 22, on the St. Stephens' Meridian line, to Range line 15 East of the St. Stephens' Meridian line, (where it touches the Coosa River) thence down the Coosa River to the falls at Wetumpka, and from there along the boundary line of the Creek Nation as fixed by the treaty of Fort Jackson, August 9, 1814. Provided for by Act, March 3, 1815. Office opened October 20, 1818. (Originally located at Milledgeville, Georgia.) Moved to Cahaba on June 1, 1819. Date of first entry at Milledgeville, August 4, 1817.

St. Stephens' Land District

(Part of Land District East of Pearl River): Embodied all the land north from the line 31 Degrees North Latitude to Township line 22 on the St. Stephens' Meridian line, and West from the Cahaba Land District boundary line to the State boundary line. Provided for by Act, March 3, 1803. Office opened September, 1811.

Jackson Court House Land District

Embodied all the land south of the line 31 Degrees North Latitude, from the Perdido River west to the State boundary line.

UNITED STATES LAND OFFICES IN ALABAMA,
FROM 1820 TO 1832

Huntsville Land District

Embodied all the land North of Township line 14 on the Huntsville Meridian line, East to about Range line 5 east of the Huntsville Meridian line (the boundary line of the Cherokee Nation), and west to the boundary line of the Chickasaw Nation.

Tuscaloosa Land District

Embodied all the land North of Township line 14 on the Huntsville Meridian line to the second Township line South of the original Survey division line, and from the present State boundary line on the west to the State boundary line on the east. Provided for by Act, May 11, 1820. First entry was made July 2, 1821. The Creek Lands east of the Coosa River being ceded to the United States by the treaty of Cusseta (at Washington) March 24, 1832. The land west of the Coosa River was taken from the Huntsville Land District thus forming the Tuscaloosa Land District.

Sparta Land District

(Conecuh Court House); Embodied all the land South of Township line 5 on the St. Stephens' Meridian line—the boundary line extending to Range line 20, east of St. Stephens' Meridian line and North along Range line 20 to Township line 11 on the St. Stephens' Meridian line, then East along Township line 11 to the State boundary line, then South to line 31 Degrees North Latitude. The western boundary line being formed by the St. Stephens' Land District boundary line. The section of land south of line 31 Degrees North Latitude, west of the Perdido River to Range line 4, east of the St. Stephens' Meridian line was

included in this District. Provided for by Act, May 11, 1820
Office opened August 1, 1822.

St. Stephens' Land District

Embodied all the land from Township line 22, North on the St. Stephens' Meridian line, South to the Gulf of Mexico, and West from the Cahaba and Sparta Land Districts (Range line 4, East of St. Stephens' Meridian line) to the State boundary line on the west.

UNITED STATES LAND OFFICES IN ALABAMA,
FROM 1832 TO 1842

Huntsville Land District

Embodied all the land North of Township line 14, South on the Huntsville Meridian line; West to the Chickasaw Nation and East to the boundary line of the Cherokee Nation.

Tuscaloosa Land District

Embodied all the land south of the Huntsville District (Township line 14 on the Huntsville Meridian line) and including two Townships South of the original division line; from the State boundary line on the West to the Coosa River on the East.

Montevallo (Coosa) Land District

Embodied all the land South of about Township line 13, on the Huntsville Meridian line (Southern boundary of the Cherokee Nation) to the original division line, and from the Coosa River on the West to the State boundary line on the east. Office opened, December 20, 1833, was provided for by Act, July 10, 1832. Moved to Mardisville in 1834.

Demopolis Land District

Embodied all the land South of Township line 22, North of St. Stephens' on the St. Stephens' Meridian line, South to Township line 10 on the St. Stephens' Meridian line; East to Range

line 9, east of the St. Stephens' Meridian line, and West to the State boundary line. (This was probably the original boundary lines. Other lines extend from Township line 22, South of St. Stephens' on the St. Stephens' Meridian line, South to Township line 11 on the St. Stephens' Meridian line. From Range line 5 east of St. Stephens' Meridian line, and West to the State boundary line. Note: "See P. 475, Vol. 2, L.I.N.O.") The District being formed out of the Western part of the Cahaba, and the Northern part of the St. Stephens' Land Districts. Provided for by Act, March 2, 1833; first entry made July 15, 1833.

Cahaba Land District

Embodied all the land South from Township line 22, North of St. Stephens' on the St. Stephens' Meridian line, to the Sparta Land District. The boundary lines on the west being formed by the Demopolis and the St. Stephens' Land Districts, and on the east along the boundary line of the old Creek Nation as fixed by the treaty of Fort Jackson.

Montgomery (Tallapoosa) Land District

Embodied all the land in the old Creek Nation South of the original division line. Created by Act, July 10, 1832. Office opened January 1, 1834.

Cahaba Land District

Cahaba Land District Office was moved to Greenville on June 15, 1856.

Sparta Land District

Sparta Land District Office was moved to Elba on April 1, 1854.

St. Stephens' Land District

Embodied all the land South of Township line 10, on the St. Stephens' Meridian line, to the Gulf of Mexico, and on the west from the State boundary line to Range line 4, East of the St. Stephens' Meridian line, on the east.

UNITED STATES LAND OFFICES IN ALABAMA,
FROM 1842 TO 1868

Huntsville Land District

Included all the land West of the Cherokee and Creek Nations to the Mississippi State line as far South as Township line 14, Huntsville Meridian Survey. The section North of the Tennessee River extending from Range line 4, south 12 miles, east 6 miles, thence south 18 miles being added by Executive Order, March 17, 1858. The eastern boundary being the Mardisville Land District line which is formed by the Coosa River, Little Canoe Creek, and the Tennessee River. Provided for by Act, March 2, 1842.

Mardisville Land District

Embodied all the land South of the Tennessee River to the original division line (Township line 22 on the Huntsville Meridian line), and east of the Huntsville and Tuscaloosa Land Districts boundaries, to the State line. Office opened January, 1834. Moved to Lebanon on April 12, 1842—opened April 12, 1842; moved to Centre and opened on August 1, 1856; moved to Huntsville, March 30, 1866 and then to Montgomery, May 26, 1866.

Tuscaloosa Land District

Included all the land South of Township line 14, on the Huntsville Meridian line, extending two Townships South of the original division line; East to the Coosa River and West to the State boundary line. Moved to Montgomery, March 30, 1866.

Demopolis Land District

Embodied all the land South of Township line 23, on the St. Stephens' Meridian line, to Township line 10, on the St. Stephens' Meridian line, and from the western boundary line of the State East to Range line 9, east of the St. Stephens' Meridian line. Was moved to Montgomery, March 30, 1866.

Greenville Land District

Embodied all the land South from Township line 22, on the St. Stephens' Meridian line, to Township line 5 on the St. Stephens' Meridian line. Bounded on the West by the Demopolis and St. Stephens' Land Districts. The Eastern boundary from the Coosa River along the boundary line of the old Creek Nation to Township line 11, Range line 24, east on the St. Stephens' Meridian line; the Southern boundary line being formed by the Northern and Western boundaries of the Elba Land District, about the head of the Pea River. Includes the old Cahaba Land District. Office opened on June 16, 1856, and moved to Montgomery, March 30, 1866.

Montgomery Land District

Includes all the land South of the original division line extending East from the boundary lines of the Greenville and the Elba land Districts to the State boundary line—much of the old Creek Nation (lower).

Elba Land District

Includes all the land south of the Greenville Land District boundaries, to line 31 Degrees North Latitude. East, from the St. Stephens' Land District boundary line (Range 4, east on the St. Stephens' Meridian line) to the State boundary line on the east. Office opened on April 1, 1854, moved to Montgomery, April 11, 1867. The section of land South of line 31 Degrees North Latitude, bounded by the Perdido River, (State line) on the east to Range line 4, east of the St. Stephens' Meridian line, on the west. Office moved to Mobile March 3, 18—.

The Greenville, Elba, and part of the Demopolis Land Districts were formed out of the old Cahaba District.

St. Stephens' Land District

Embodies all the land South of Township line 10, on the St. Stephens' Meridian line, to the Gulf of Mexico, from the State boundary line on the west to Range line 4 east of St. Stephens' Meridian line,—the Greenville and Elba Land District Western boundary lines. Moved to Mobile in 1867.

UNITED STATES LAND OFFICES IN ALABAMA,
FROM 1868 TO 1879

Huntsville Land District

Embodied all the land South of the Northern boundary line to Township line 14, on the Huntsville Meridian line. Moved to Montgomery by Executive Order December 19, 1904. Effective March 1, 1905.

The Northern section of the old Mardisville Land District (from the Tennessee River boundary, South to Township line 12 on the Huntsville Meridian line, was added to Huntsville January 23, 1872. One and one half Townships of the Centre Land District was moved to Huntsville September 5, 1896.

Montgomery Land District

Embodied all the land South of Township line 14, on the Huntsville Meridian line, to line 31 Degrees North Latitude except Mobile District, and in the Northwest corner 12 miles wide (North and South) and 36 miles wide (East and West), North of Township line 14 on the Huntsville Meridian line.

Mobile Land District

Embodied all the land South of Township line 10, on the St. Stephens' Meridian line, to the Gulf of Mexico. The Eastern boundary running along Range line 4, East of St. Stephens' Meridian line, and bounded on the West by the State line. Office moved to Montgomery March 28, 1879.

Evelyn Bush, Montgomery, 1935

THE FLAG AND THE BIRTHDAY OF ALABAMA

A paper presented to the Dixie Chapter, U.D.C., December 2, 1953

By PETER A. BRANNON

The flag of the State of Alabama was adopted by an Act of 16 February 1895. The bill which subsequently became an Act, was introduced into the House of Representatives by John William Augustine Sanford, Jr. Young John Sanford was influenced to introduce the bill by his father who had served in the Confederate Army as a Captain in the 3d Alabama Infantry and as Lieutenant-Colonel of the 3d Battalion of Hilliard's Legion, and subsequently as Colonel of the 60th Alabama Infantry Regiment. The details of the physical appearance of the flag as are now set out in the Code, say that the flag of the state "shall be a crimson cross of Saint Andrew on a field of white." The further statement is made that the bars forming the cross shall not be less than six inches broad and must extend diagonally across the flag from side to side. The import of that statement is that they extend from corner to corner and by law, there must be three inches down each corner side to comply with the six inch width of the bar. Colonel Sanford who was known in Montgomery in later years as "General Sanford" because he was a General in the ranks of the Confederate veterans, endeavored to preserve in a permanent form the more distinctive features of the Confederate battle flag. Inasmuch as the Confederate battle flag was square, it was intended by the wording of the Act that the Alabama flag should be square and that it should conform in all lines of measurements to the well known battle flag of the Confederacy, which ensign is credited in its concept to General Pierre G. T. Beauregard. The regulations governing the Confederate battle flag designate that it must be forty-eight inches square or in proportions thereof, and that the arms of the cross must be 8½ inches wide overall, that is the blue arm is to be six inches wide and the white border to these blue arms makes the other total width measurements. In each case it was specified that the bars must cross each other at a right angle and that the bars divide equally at each corner. The proper size of an Alabama flag as now adopted,

is fifty-one inches overall, that is in that measurement they include a border one and one-half inches of fringe.

Representative John W. A. Sanford, Jr., of Montgomery, never made an outstanding reputation as a politician. His father, the old Colonel, was at one time Attorney General of this state and after that enjoyed a lucrative law practice here in Montgomery until his death. Sanford and Jackson was the law firm which had an interesting contact in Montgomery. General Sanford was a well known character around town. He was an over-sized man, very deaf, with extra large and striking physical features and all old Montgomerians up to the days of the first World War knew him well.

You will see from the Act which created the flag, that the field was white and the cross of Saint Andrew on that field, was crimson. While the intent of the flag was to make it as much like the Confederate battle flag as possible without using the actual colors, the selection of the colors of the Alabama flag was to conform with the colors of the State University, which in turn had always been accepted as the Alabama State colors, red and white. So far as I know, there is no Act of the Legislature which recognizes the selection of those two colors to designate the University of Alabama's colors. It is arbitrarily allowed that the several colleges in the state may select their own colors without being regulated by law.

From time to time the Legislature of this state has passed resolutions to encourage the use of the State flag and to encourage the respect of the flag, but it was not until 26 September 1923, that the Governor approved Senator Randall's bill which required that the flag of the state, as well as the flag of the United States to be displayed every day on which any school is in session in this state. In order that the compliance with this Act shall not be onerous, Section 4, of that Act of 1923, requires the State Board of Education of the County to furnish any pay for the several flags used in the county. Unhappily it must be said that many schools in this state do not display the Alabama State flag on the grounds at least. There is another rather inter-

esting situation which may be called to your attention and that is that the Adjutant Generals of the state insist that a square flag is not attractive and that it does not conform to the rectangular shape of the United States flag, therefore all flags used by the National Guard of this state are oblong and not genuine square Alabama flags. Note the one on the flag pole on the grounds of the State Capitol.

Origin of Alabama Day

In Huntsville in December 1819, the Constitutional Convention drew up and adopted a proposed constitution which was then submitted to the Congress of the United States to determine whether Alabama should be admitted as one of the Union. Congress acted on the submitted resolution of the Convention and on the vote of the people of the Territory admitted Alabama into the Union. This fact became known in Huntsville on 14 December 1819, and by a declaration of that Convention which by that time had already resolved itself into a Legislature, the state was formally declared as admitted as one of these United States.

In May 1898, the Alabama Federation of Women's Clubs met in Selma and Mrs. Idyl King Sorsby called attention to the fact that December 14th was the anniversary of the day when the state of Alabama came into being in 1819, and that it had been selected by her as the day for the organization, in Birmingham, December 14, 1897, of the Pierian Club. She thought that the appreciation of patriotic value of public observances of important anniversaries could be stimulated in the state by the recognition of the Women's Clubs of the State of the day of admission of the state into the Union. She suggested that a similar celebration of the event under the auspices of the History Department of the Birmingham Woman's Club should be made on 14 December 1899. From that suggestion and from mail votes, it was decided on. During this agitation it was found that only a few states in the Union had ever instituted similar celebrations.

At the suggestion of Mrs. Sorsby, Alabama Day was unanimously adopted by the Alabama Education Association at its meeting place in Birmingham in June 1903. For a number of

years the Alabama Education Department in conjunction with the Department of Archives and History, issued a small pamphlet program of suggestions to the schools for the celebration of the day.

The first anniversary celebration of the selection of December 14, was held on December 14, 1899, and as a rule, most of the schools and patriotic societies in Alabama have for the past fifty-three years celebrated that day. Alabama Day is not in Alabama an official state holiday. We have official holidays for sundry reasons but this patriotic occasion is seldom thought about by the general public.

Mrs. Sorsby directed the first eight or more annual celebrations and on every one of these, she had an Alabama anniversary cake as one of the features of these celebrations. The Alabama cakes were always decorated with red, white and blue candles, the National colors selected purposely. In later years electric tapers have been in use. The first anniversary cake was presented to the History Department of the Birmingham Woman's Club with the request that such features of it as could be preserved should be saved. The Birmingham Club just previous to that occasion, sent Governor Joseph F. Johnston, a miniature birthday cake with the necessary souvenir candles in order that it might be displayed on his desk at the Capitol on Alabama Day. The second anniversary occasion was an auspicious one and Mr. Thomas M. Owen, destined to soon become Director of the Department of Archives and History, made an address. Being then only two years subsequent to the Spanish-American War, Mr. Owen used as a pointer to illustrate some facts that he brought out, a part of the Merrimac, the U. S. Collier sunk by Captain Richmond P. Hobson, at the mouth of the bay entering Santiago.

Alabama Day is celebrated by the Alabama Society of New York City and the Alabama Society of Washington City and on each of these occasions, the Alabamians living in those cities put on such special demonstrative programs that newspapers in late years have devoted considerable attention to the events.

In recent years the agitation now almost universal, for the celebration of Alabama Day on December 14th, or at least during the month of December, by patriotic societies has been a stimulating factor in the teaching of Alabama history. Obviously the U.D.C. and these patriotic organizations commemorating the days of the Confederacy are the ones to lead this movement. The Educational Department encourages an Alabama Day program and in most schools the suggestion is carried out.

Because our Alabama State Flag was conceived as a memorial to the Confederate Flag, the significance of the day is all the more interesting.

There was for a time an effort to use the flag as a birthday flag, but my investigation has led me to conclude that rather than being a birthday flag, the Alabama Flag should be considered as a Confederate memorial.

A HISTORY OF COMPANY B, 40TH ALABAMA INFANTRY, C.S.A.

From the Diary of J. H. Curry of Pickens County*

Captain E. D. Willett was born in Washington County, Tennessee, came to Pickens County, Ala., when a young man, and taught school for a year or two in Carrollton, then began the practice of law, which he continued till the day of his death except while he was in the army.

As an officer and soldier he made for himself an undying reputation. He was promoted to the rank of Major in 1864, which office he filled with credit to himself and with honor to his regiment until the close of the war. He was brave, cool and fearless in battle.

In the jostling activities of life he rose to the full measure of a man and citizen.

He was the honored head and prop of a large household.

He was a member of the M. E. Church South, and Supt. of the Sunday School.

He died in the Methodist Church, Carrollton, Ala., 10 A. M., March 16, 1890, while delivering the opening prayer for the Sunday School. His last words were, "O Lord fill us with thy truth, fill us with thy Spirit."

LIEUT. JOHN T. TERRY

Lieut. John T. Terry was born in Chester Co., S. C., and came with his parents to Ala. when a youth. He began to practice law at Carrollton just before the Confederate war began and followed his chosen profession to the day of his death, which occurred in Birmingham, Ala., about the year 1889. Lieut. Terry was not much in love with the soldier-life.

*This material was furnished to the Department of Archives and History by John L. Curry, January 30, 1941.

He was kind to his men, but could never learn military tactics. When he could do so without detection, he would march the squad assigned him to drill, to a shady place, and have them all sit around him and hear him explain and see him mark off the maneuvers on the ground. He left his Company before it was ever engaged in battle.

He was very successful as a lawyer and amassed considerable wealth.

He was a member of the M. E. Church South, but never took any active part in Church work, except it be that which pertains to the financial. He was married twice and was the father of several children.

LIEUT. JAMES A. LATHAM

Lieut. J. A. Latham was born in Pickens Co., Ala., and was reared on the farm near Carrollton. After his majority he came to Carrollton and went into the mercantile business. He was very popular as a merchant.

He was married a short while before the war began. He was never a member of any church, but was inclined to the tenets of the Missionary Baptist. He was a kind and brave officer, but always became excited in battle.*

He was wounded May 15, 1864, and killed in the battle of Bentonville, N. C., April, 1865.

LIEUT. JAMES HARVEY WIER

Lieut. J. H. Wier was born in Abbeville, S. C., and came to Pickens Co., Ala., in his youth.

He was a farmer and lived about six miles south of Carrollton.

* (His excitement however, was not from fear, for a braver man never went to the field of battle. Generally, in the battle he had his hat in one hand and his sword in the other and would cheer his men until he was almost hoarse.)

He was married and had two children, a son and daughter.

He was quiet, with but little to say. On this account did not make friends very readily. But as he became known was the better appreciated. He was a good man and an efficient officer. He was captured on the picket line at the foot of Lookout Mountain, Nov. 24, 1863.

He was a consistent member of the Presbyterian Church.

He died at his home about the 1892.

ROLL CO. B. 40 ALA. REG. C. S. A.

This Company, known as "Pickens Planters," was organized March 16, 1862, at Speed's Mill, Pickens Co., Ala.

Elbert D. Willett	Captain	(dead)
John T. Terry	1st Lieutenant	(dead)
James A. Latham	2nd Lieutenant	(dead)
Jas. Harvey Wier	3d Lieutenant	(dead)
Jessee T. Hancock	1st Sergeant	(dead)
Eli D. Vance	2nd Sergeant	(dead)
John W. Sanders	3d Sergeant	(dead)
William K. Shaver	4th Sergeant	(dead)
William C. Stewart	5th Sergeant	(dead)
John R. Weems	1st Corporal	(dead)
J. Wiley Horton	2nd Corporal	(dead)
Jacob Harris Eaton	3d Corporal	(dead)
A. Wilson Largent	4th Corporal	(dead)

PRIVATES

Allen, James M.	(dead)	Belk, Geo. Washington	(dead)
Acker, Balus G.	(dead)	Bush, James M.	(dead)
Acker, Geo. William		Black, Samuel D.	(dead)
	(died 5-9-16)	Black, Benjamin	(dead)
Barham, William	(dead)	Bush, Andrew J.	(dead)

Byars, James A.	(dead)	Freeman, Isham A.	
Burris, James H.	(dead)	Freeman, Marcus M.	(dead)
Bush, John E.	(dead)	French, Jesse Mercer	(dead)
Burgess, Robert	(dead)	Fowler, John F.	(dead)
Blocker, A. B.		Goodwin, John	(dead)
Cook, John P.		Graham, George M.	(dead)
Carver, Wesley H.	(dead)	Gilkey, Walter Mims	(Died
Cockrell, James M.		in Old Soldiers Home	
	(Died Mch., 1917)	near Montgy.)	
Collins, Jonathan	(dead)	Graham, Thomas	(dead)
Collins, Joseph	(dead)	Gilbert, H. F. B.	(dead)
Cameron, Joseph D.	(dead)	Hicks, Daniel N.	(dead)
Cameron, James B.	(dead)	Hicks, John R.	(dead)
Cameron, Moses A.	(dead)	Hicks, John F. (died 12-26-16)	
Cameron, Thomas	(dead)	Hicks, Henderson	(dead)
Colley, William P.	(dead)	Howell, Anderson T.	(dead)
Cole, Lewis T.	(dead)	Hunnicut, Robt. F.	(dead)
Channell, Thomas C.	(dead)	Hall, Joseph N.	(dead)
Connell, David J.	(dead)	Hall, Joseph C.	(dead)
Coward, A. W.	(dead)	Lee, Thomas H.	(dead)
Curry, John H.	(dead)	Locke, M. T.	(dead)
Daniel, Thomas P.	(dead)	Irby, William H.	(dead)
Davis, Jeremiah	(dead)	Irwin, George W.	(dead)
Easterling, Henry	(dead)	Irwin, Robert	
Eads, John A.	(dead)	Jones, Thomas W.	(dead)
Elmore, Charles	(dead)	Jones, Wm. Jackson	
Elmore, Anderson	(dead)		(Dead 3-9-13)
Elmore, William R.		Jones, Robert A.	
Hollingsworth, A. J.	(dead)	Jones, William H.	
Hildreth, Sardine	(dead)	Jones, Henry	(dead)
Burns, Joseph H.	(dead)	Jones, Marcellus	
Brandon, John R.	(dead)	Jones, Alpheus	(dead)
Elmore, Sam	(dead)	Jones, Abram D.	(dead)
Elmore, James	(dead)	Jennings, John J.	(dead)
Elmore, Bowman	(dead)	Jennings William H.	(dead)
Elmore, Jacob	(dead)	Jennings, Abner	(dead)
Elmore, John T.	(dead)	Johnson, John Wesley	(dead)
Elmore, Jordan J.	(dead)	King, Samuel G.	(dead)
Freeman, Morgan W.	(dead)	Kirk, John	(dead)

Kerr, James	(dead)	Robertson, Hugh J.	(dead)
Kerr, Logan	(dead)	Robertson, John G.	(dead)
Lancaster, Joseph	(dead)	Reddish, James H.	(dead)
Lancaster, E. Joseph	(dead)	Russell, John A.	(dead)
Parker, Charles R.	(dead)	Russell, Asberry C.	(dead)
Parker, James F.		Russell, Chas. Wesley	(dead)
Pearson, Samuel	(dead)	Reynolds, Thomas K.	(dead)
Phillips, William L.	(dead)	Reynolds, James S.	(dead)
Petete, John T.	(dead)	Ralph, Francis W.	
Robertson, Samuel	(dead)	Rickman, Peter	(dead)
Ledbetter, Richard Baxter		Staggs, John W.	(dead)
	(dead)	Savage, Abner W.	(dead)
Lavender, David Spencer		Shockley, Thomas W.	(dead)
	(dead)	Speed, James H.	(dead)
Lipsey, William L.	(dead)	Strickland, W. Green	(dead)
Lipsey, John A.	(dead)	Strickland, Abel	(dead)
McAteer, Wm. Robert	(dead)	Strickland, John J.	(dead)
McAteer, Jackson	(dead)	Strickland, Samuel	(dead)
McManus, John E.	(dead)	Taylor, William S.	(dead)
McDaniel, George	(dead)	Vance, William V.	(dead)
McDaniel, Reuben	(dead)	Williams, Paul I.	
McGee, John P.	(dead)	Williams, Thos. H.	(dead)
Mullin, Benjamin F.	(dead)	Williams, Thomas	(dead)
Mustin, William F.	(dead)	West, James H.	(dead)
Morrison, William	(dead)	Weems, James F.	
Mitchell, Geo. W.		Wood, Joshua	
Morrow, David W.	(dead)	Wood, William	(dead)
McVoy, Alexander D.		Wood, Enoch	
Pate, James B.	(dead)	Walker, Francis M.	(dead)
Pratt, James A.	(dead)	Walker, John J.	(dead)
Pratt, John L.	(dead)	Walker, Miles W.	(dead)
Pratt, John C.	(dead)	Wier, James D.	(dead)
Pratt, Joseph A.	(dead)	Yates, William M.	(dead)
Shepherd, Hiram	(dead)	Yerby, Jas. E.	(dead)
Smith, W. D.	(dead)	(Enrolled	167
Shirley, Julius	(dead)	Dead	102
Sanders, H. H.	(dead)		
Thompson, Mark L.	(dead)	Living	65)
Thomas, Tandy R.	(dead)		

"Pickens Planters" assembled at Carrollton, Ala., April 2, 1862, and marched to Pickensville.

April 3, 1862.—Left on board the steamer, Warrior for Demopolis, the place appointed by the Governor, for the organization of a regiment, Col. A. A. Coleman commanding. The Company was then designated as Co. B., and the regiment as the 40 Ala. Volunteers. Arrived at Demopolis April 4, 1862, and formed what was called Camp Coleman. Remained here until April 19, during the men were examined by Dr. Colgin, Surgeon of the regiment, and the bounty of fifty dollars was paid by Capt. Benjamin Yancy.

April 19, 1862.—Left on the Steamer Warrior for Mobile, arriving there on the 20th, and encamped in a Warehouse on Royal Street. While here measles broke out among the men, and 56 men were stricken down. John F. Fowler died Mar. 11, 1862, and C. Wesly Carver May 17, 1862 of the effects of this disease.

June 14, 1862.—Thomas Williams, after a protracted case of fever died at Camp Cantonment Walter, whither the regiment had gone April 26, and was buried near said camp.

June 21, 1862.—Charles W. Russell died of measles followed by Typhoid fever, and his body was carried home for interment.

July 20, 1862.—Abner Savage after an attack of Typhoid fever, which lasted over two weeks, died in the Camp hospital.

July 21, 1862.—Thomas P. Daniel after a lingering spell of the same fever died in the same hospital. On this day the regiment was moved from this camp to Camp Marshall Austell, one mile and a half from Mobile. All the sick were taken to a hospital in the City. Abner Jennings was among the sick thus moved. He gradually grew worse and died July 27th, in what was then called the general hospital. He was buried in the new Cemetery in Mobile. While at this camp this regiment together with the 38th Ala., performed guard duty in the City of Mobile.

July 27, 1862.—Lieut. J. H. Wier was granted leave of absence for 12 days, and returned at the expiration the time.

August 2, 1862.—Lieut. J. A. Latham was granted sick leave of absence for 20 days, went home, had a long and painful attack of slow fever, and was not able to return for nearly four months.

August 13, 1862.—Capt. E. D. Willett was granted leave of absence for 15 days, went home, returned at the expiration of the time.

August 14, 1862.—Henderson Hicks, William Morrison, Thos. W. Shockley, Abel Strickland, Jas. F. Weems and Jas. D. Wier were discharged from service on account of disease and disability.

Sept. 3, 1862.—Lieut. J. T. Terry was granted leave of absence for 20 days, went home, had an attack of Jaundice while at home, and did not return for several days after the expiration of his leave of absence.

Sept. 10, 1862.—F. W. Ralph, hired a substitute by the name of Peter Clark. While the company was willing to allow Ralph to go, who was sorely sick of camp life, and very anxious to get out of the army, yet they were unwilling to have this man Peter Clark in the company, therefore Peter was transferred to Co. H, Capt. C. C. Crowe, commanding.

Sept. 31, 1862.—John P. McGee was discharged from service on account of disability from effects of Measles and Bronchitis.

Oct. 8, 1862.—Regiment was moved to Camp Forney on the Spring Hill road 4 miles from Mobile, and was there put into a Brigade, under command of Col. J. T. Holtzclaw, for two weeks, when Gen. Cummins took command of the Brigade. It was known as the "First Brigade of the Army of Mobile." It was composed of the 18th Ala., Col. J. T. Holtzclaw; 36 Ala., Col. R. H. Smith; 38 Ala., Col. Ketchum; 40 Ala., Col. A. A. Coleman. At this camp cleared a large area of land for drill ground, and remained here drilling when the weather would permit until Dec. 2.

Dec. 2, 1862.—Col. Coleman received orders this morning to have his regiment ready to move in 2 hours, to go to Mobile, take the evening train on the M & O R R for Granada, Miss. March to the Depot leaving tents and all heavy baggage behind. Went aboard some box-cars and left for Meridian, Miss. It was cold and raining. With but baggage, and less to eat, arrived at 3 A. M. *Dec. 3.* Ordered to get off the train, and struck camp near Depot, kindled fires—had pickled pork and some very inferior crackers issued to us for breakfast, having had nothing to eat in the last 24 hours. Hunger enabled us to appreciate our not very palatable food. Remained here all day.

Dec. 4, 1862.—At 4 A. M. left on cars for Jackson, Miss. and arrived there at 8 P. M. Orders were issued for us to go aboard the cars at once for Granada, Miss. Got to Canton at Midnight, and received orders to return at once to Jackson, as the battle at Coffeeville was over and the Confederate troops had retreated to Grenada.

Dec. 7, 1862.—After breakfast ordered aboard the N. O. R. R. and carried two miles to a creek where we struck camp with Vaughn's Brigade. Remained here for ten days, performing Provost duty in Jackson and drilling.

Dec. 17, 1862.—Received orders to get ready to go to Columbus, Miss. to resist an attack or rather the advance of the Federals towards that place. Struck our tents the night before and by daylight was on our march to Jackson. At 10 A. M. The first battalion went aboard the cars and left, with Col. A. A. Coleman and Lieut. J. H. Higley. At 3 P. M. the 2nd battalion left with Maj. T. O. Stone commanding. We left Jas. A. Pratt, Joshua Wood, William V. Vance, Joseph Lancaster and J. F. Parkers sick in hospital at Jackson. These men were made sick no doubt from too wet and cold weather. Lieut. Terry was ordered to take J. R. Hicks under arrest at Mobile, charged with whipping to death a slave belonging to Lieut. Pickens. He also carried with him as a witness, John R. Weems. Lieut. Terry and Weems returned to the regiment at Columbus, Miss.

Dec. 18, 1862.—Arrived at Meridian on the morning of the 18th and waited there for transportation until 3 P. M., at which time went aboard open cars and suffered greatly from cold and hunger. Arrived at Columbus the next morning—remained at the depot that day until dusk when we were marched to the fair-ground and pitched our tents. Remained here for nine days. It was a treat for all our command to be here, but especially so to many of Co. B. We enjoyed a good supply of wholesome rations. Many of the wives and friends of our Company visited us here, but neither officers nor men were allowed to go home notwithstanding we were so near to our homes and loved ones.

Dec. 26, 1862.—Mrs. E. D. Willett, Mrs. J. A. Latham and Mrs. J. T. Terry came into camp. What a scene! Ladies in camp, and those too that we were glad to see. These ladies with their husbands went to Cady's Hotel and spent the night. Orders were received just before night from Gen. Pemberton for us to come at the earliest moment possible to Vicksburg, Miss. Lieut. Wier superintended the moving of the baggage to the train that night, and every thing was in readiness to take the cars at 4 A. M.

Dec. 27, 1862.—Capt. Willett and Lt's. Latham and Terry took the leave of their wives at 3 A. M. and with us took the train at 4 A. M. The rain poured, indeed, had been raining hard all night. Arrived at Meridian at 4 P. M. A train was waiting for us to take us at once to Jackson. Mrs. A. A. Coleman met the Col. here and he being very anxious to remain a while with her, dispenses with the necessity of going at once to Jackson, on our way to Vicksburg. By delays and by one way and another we did not get off on the train that was waiting for us.

Dec. 28, 1862.—At 11 A. M. (Sunday) went aboard the cars.

Dec. 29, 1862.—Arrived at Jackson after many delays on the road which was no fault of our officers or men and we camped in the cars there all night, and it was not so bad after all, as it was raining in torrents nearly all night. We were cold and hungry, and in a bad humor generally.

December 30, 1862.—Left Jackson for Vicksburg early in the morning and arrived there at 8 P. M. D. N. Hicks, T. H. Williams,

B. F. Black, M. L. Thompson, J. J. Strickland, Jas. A. Pratt, John C. Pratt, E. J. Lancaster, T. H. Lee, and John Goodwin were left sick in the hospital at Columbus, Miss., and J. M. Bush was left to nurse them. While we were stationed at Columbus, Hugh Robinson, Sergt. W. K. Shaver and Sergt. J. T. Hancock went to their homes in Pickens Co., Ala. without leave. Shaver returned Jan. 2, and Hancock, Jan. 7. There were court martialed and reduced to ranks.

In two hours after our arrival at Vicksburg we had orders to march to Chickasaw Bayou, near the battlefield of Sunday and Monday previous. We were drawn up into line of battle on one of the hills of Vicksburg, when a man by the name of Barker, who was ordinance Sergt., then, took it upon himself to make us a speech. He spake in a warlike tone, but wound up his harangue by telling us how much he regretted that he could not go with us, as he had positive orders from the Col. to remain behind. He also gave the information that Col. Coleman was sick and could not go. It was said the Col. had the diarrhea and a sore knee. Nearly every man in the regiment the diarrhea as for that. Things began to appear more warlike to us than ever before. The enemy were here and a battle was expected. We heard Barker through and the word forward was given by our Lt. Col. J. H. Higley, who was always ready to go with his men. We marched off in fine spirits towards the anticipated field of carnage. This was the last we saw of Col. Coleman. Our gallant Col. Higley marched us up the river road north from Vicksburg, along the base of the hills. We march in perfect silence as we were at many points within shelling distance of the Federal guns. Nothing of special interest happened on the way. The road was very muddy. We halted at last in a hollow, in the rear of a section of Walton's Battery. We reached this point about 3 o'clock at night, and stayed till morning without any baggage but our blankets. We thought it awful to sleep without our tents, but we afterwards learned how to do so without much inconvenience. We lay on "our arms" until daylight.

Jan. 1, 1863.—An attack is expected. We were kept in line all the day, but the enemy did not renew the attack. We were in

plain view of the battlefield of Dec. 29, 1862. The Federal dead were still unburied, and remained so until noon, when a flag of truce was sent out asking permission to bury their dead. This being granted they buried them, about 200, in gully's nearby. We remained in the same position until 10 A. M., when orders came for us to be ready at 3 P. M. to march to Snider's bluff, eight miles away on the Yazoo river. We began the line of march at the appointed time and reached this place at daylight, where a battle was expected, but it was a false alarm. The enemy seemed to be retreating down the Yazoo river. We then marched back to the place we had left, at double quick. We had marched 16 miles and were hungry and tired. Rations of beef and bread cooked in Vicksburg, were sent to us.

Jan. 2, 1863.—Before we were done eating the booming of cannon announced to us the intelligence that there was fighting on the Yazoo, about a mile and a half from our present position. Gen. Maury with about 4,000 men with some artillery had gone across the Bayou and had made an attack on the Federals who were retreating to their gun-boats. We were at once ordered into line and marched to the Chickasaw Bridge to be ready to support Gen. Maury if necessary. But he drove them to their gun-boats, capturing commissary stores, spades, &c., and some few prisoners, and then came back. We remained in line until dark, it raining hard, when we were ordered back to camp for the night. Company B. went up on a crag or spur of the mountain, cut wood and made large fires, spread our blankets as best we could to keep dry. It rained hard all that night, and our blankets were poor protection from the drenching rain, which often rained out our fires in spite of our efforts to keep them burning. It was certainly a night of great suffering. Lt. Wier had found a chair on the battlefield, in which he sat all night, with canes bent over him with his blanket over them. Capt. Willett, Lts. Terry and Latham sat on a log all the long night with their blankets around them for protection from the down-pouring rain. The men were sitting on logs or chunks or whatever they could find with their blankets about them, but officers and men got drenching wet. Lt. Wier got a snack of good crackers off the battlefield which he very kindly distributed to the company.

Jan. 2, 1863.—Remained here until the next, when we were ordered to move to Dr. Smith's plantation.

Jan. 4, 1863.—Camped on the mountain side near the plantation for two days and nights.

Jan. 6, 1863.—Had orders early this morning to march down to the low-lands of the Yazoo. The camp here was low and damp. Some of our men went down to Chickasaw Bayou near Mr. Lake's Negro Quarter, and while prowling around discovered there was something in the Bayou, which upon being fished out proved to be a barrel of Pickle Pork. This was exciting to a lot of hungry soldiers, and other barrels were fished up which added greatly to our scanty stock of provisions. This Pork had been thrown there by the retreating Federals. While this pork lasted we had plenty of meat.

Jan. 7, 1863.—We received orders this evening to march lower down the Mississippi River towards Vicksburg, and strike camp near Indian Mound. We encamped here in a cornfield between the mound and the Bayou. This camp is of low black soil, slick in wet weather, inconvenient to wood but water close by. We had to bring our wood from the top of the high mound. Here we camped for about two months. Nothing of special interest occurred. The Federal troops and fleet had gone up the Miss. River, and everything was quiet. We did guard duty and drilled occasionally. Most of the time it was cold wet weather. Our rations were coarse meal, poor beef and sour molasses. The molasses had very much the same effect as croton-oil. Diarrhea was prevalent in our camp.

Jan. 23, 1863.—Federal fleet appeared again in the Mississippi River about 7 miles above Vicksburg. On the opposite side of the river a skirmish took place and the Confederates were victors.

Jan. 25, 1863.—Canonading has been going on for a day or two between Confederate land batteries and the Federal gun-boats. T. H. Lee and M. L. Thompson return from hospital in Columbus.

Our present encampment has been named Camp Timmons in honor Col Timmons, a brave officer, who was killed near this place in the battle of Dec. 28, '62. During our stay here the weather was very disagreeable—raining nearly every day, the roads almost impassable, rations scarce, beef poor and meal coarse. For about 20 days had no meat issued at all. Some Texas steers were brought here, some of them too poor to get up when down; they are all horns. But out in the cane on the hills are to be found fat cattle, belonging to the citizens. We occasionally go out and kill a beef in the cane, and sometimes bring in fat porker. Our officers, of course do not allow this, but they do not see us. They lend us their pistols which is carried along to keep fat cows and hogs from hurting us as we ramble in the cane. A guard is placed on the Chickasaw Bayou bridge, to the soldiers from rambling in the cane, but it is understood by the guards that the Countersign is always "hog-skin", and meat comes into camp tolerably regular.

A Mr. Blake had a large woods-lot fenced with large oak rails, in which to keep a Jack. As this animal was very vicious, except to his manager, Mr. Blake conceived the idea of putting his porkers into this lot to protect them against the soldiers. Our boys made several attempts to get one of these 50 large, fat hogs, but were not successful. When a stranger would enter the lot, the Jack would come running toward him with his ears laid back on his neck, and his mouth wide open, and somebody's back would be bitten in twain if there was not some good running or climbing done. One night a select crowd of our boys decided that they needed pork, and would try their luck in Mr. Blake's Jack-lot. But as they were stealthily moving about in the lot seeking an opportunity to down a porker, "Mr. Jack" saw them, and proceeded to lay his ears back on his neck, so as give ample space to open his mouth, and went forth to meet the boys. But the boys did not feel so hungry for pork as heretofore, and decided it would be the better part of valor for them to escape for their lives, whereupon, they ran for the fence, but Morgan Freeman thought it safer to climb a sycamore tree that stood in his way to the fence. He climbed for quite a while, and imagined he was about 20 ft. up the tree on a limb, while the

boys following him, and he cried out, "Come up boys", but behold, he sat upon the ground at the root of this slick sycamore. The Jack, however, did not happen to see him, and ran after the boys who ran for the fence. The boys got no pork that night.

Feb. 17, 1863.—It is raining torrents, and we were ordered to fall into line just at dark, and move up to Chickasaw bridge. Lt. Latham in command of the company, and Capt. Willett commanding the regiment. This dark, rainy night march beggars description. The mud from shoe-top to knee deep, and there was no escape from it, as there were great ditches on either side of the road. Several of the boys lost their shoes in the mud, and some were crippled by falling into the ditches. Americus J. Hollingsworth fell into the ditch and as it was so deep, it was quite a while before he got out, and when he did he was covered with mud and his clothing wet besides. A violent attack of plewis developed the next day, and he was sent the hospital at Vicksburg, where Pneumonia developed, from which he died after a painful illness of six days. We were four hours making that march of three miles. We arrived at the bridge at 11 o'clock at night, wet and warm, and after stopping, the rain still pouring, were soon chilled and shivering in the cold rain. Went on a hill near by and in an hour or two got fires started and partially warmed ourselves and dried our clothing.

Feb. 19, 1863.—A camp was laid off in a cornfield near the Bridge, to which we moved during a drenching rain, where we remained for about a month, performing guard around camp and picket duty at Capt. Lake's farm and on the levee. Lt. J. H. Wier was detailed as recruiting officer, went to Pickens Co., Ala., and returned March 7, 1863 bringing with him Charles and Anderson Elmore and John A. Lipsey.

During our stay at this camp, we were comparatively healthy, rations were scarce but we foraged in the cane brakes, and procured an irregular supply of meat.

Mar. 4, 1863.—James E. Yerby died in the hospital in Vicksburg.

Mar. 18, 1863.—Lt. Terry got sick furlough and went home. He was physically unwell, but was sicker still of camp life. He never returned to his command any more.

Mar. 19, 1863.—Ordered to Hayne's landing on the Yazoo river, and after reaching there, camped on the hill just above the landing.

Mar. 21, 1863.—Took boat for Rolling Fork arriving there Sunday *Mar. 22.* Took up line of March at once, after landing there, for Deer Creek, wading a quarter of a mile through back water waist deep, arriving at Dr. Morris' farm, at 10 A. M., leaving tents and all other baggage but blankets behind. Here we met a warm reception from the Federal land force and gun-boats, shelling us for the space of three hours. One man belonging to Co. F, was wounded in the face, left eye knocked out.

Mar. 23, 1863.—Advanced to the William's farm, leaving behind to support our battery, Co. A., in command of Lts. Cobb and McGowan, Capt. Gulley being absent on sick leave.

Mar. 24, 1863.—Fell back to the Messenger farm. It rained all the night before, making the roads wet and muddy. Advanced the same day to eight mile post on Little Deer Creek.

Mar. 25, 1863.—Advanced to the Faris farm with two companies, B. & C., Lts. Latham and Brunson commanding respectively, Capt. Willett in command of the battalion.

Skirmished with the rear guard of the Federal forces through an immense cane swamp, and on through the Farris plantation, driving the Federals, capturing baggage, canteens, eatables, &c. Jordan J. Elmore was slightly wounded. A man by the name of Yarbrough of Co. C from Sumter Co., Ala., killed, the first man killed in the 40 Ala. Reg. Just after this skirmish the other companies of the 40th, with the 31, 33, 32 Miss. regiments and some artillery, all under command of Brig. Gen. Featherston came to our support. The Federals were encamped in the Farris Negro Quarter, but we broke up their camp, and drove them in wild confusion to their gun-boats. The last we saw of them

that day they were up to their armpits in water, wading to their boats. They left behind blankets, clothing, shoes, and they left chickens just killed, some that were dressed for cooking, some frying, some baking, in fact, in almost every shape. We drove them into Black Bayou. We had waded water from knee to waist deep nearly all afternoon, and were wet, tired and hungry. We were marched to a cane-brake near by to encamp for the night, without blankets, and with orders to kindle no fires. We were relieved from duty about an hour after dark, and began to cut canes to make our beds for the night. At 10 o'clock at night some rations came and were issued to us, but not a sufficiency to appease our hunger.

March 27, 1863.—Ordered back to Rolling fork. Then we were ordered to Indian Bayou on Deer Creek to rest for a few days. We had been marching in mud and water, through the rain for nine days, our blankets and clothing wet all the time. On this short campaign we were well supplied with fat beef and meal. Col. Ferguson was left in command of Confederate forces on Deer Creek.

April 2, 1863.—Two companies, A. & B., with Capt. Willett in command were ordered to Fish Lake, sixty miles up Deer Creek, near Greenville. The first day went to the farm of Capt. Willis, the next to the Thomas farm, next to the Fall's farm, next to Gerger's farm, and the next, April 6th, to Fish Lake. We were ordered to report to Major Bridges, who commanded a battalion of 250 sharpshooters.

April 7, 1863.—Information reached us that Gen. Steele was in pursuit of us with 13 Regiments, 8 pieces of Artillery and 250 Cavalry, and therefore, we made a forced march of 22 miles reaching the Fall's farm by dark. The next day we marched to the Thomas farm, where we met four more companies of our regiment and three pieces of Artillery. There we, being reinforced, checked the forward movement of the Federals, and compelled them to retreat, although they outnumbered us three to one. We followed them back to Fish Lake, when they turned their line of march in the direction of Vicksburg. We remained here three days, and then began our march to Indian Bayou.

April 18, 1863.—Camped at the Helen Johnson farm for a short rest after 30 days of hard service. A gentleman, whose name I do not remember, once owned this farm with about 100 slaves. He was engaged to be married to Miss Helen Johnson. He accepted a challenge to fight a duel with a man at or near New Orleans. Before the duel he will all his property to his intended bride. He was killed and she became possessor of all his property. We remained here two days and then went to Indian Bayou, and there got our tents and baggage, the first time we had seen them in a month. We needed them to get a change of clothing. No matter how strict the orders to leave baggage after this, we always carried our blankets, knapsacks, haversacks and canteens with us.

April 28, 1863.—Maj. T. O. Stone 40 Ala. Reg. was ordered to take three companies of our regiment and proceed to Little Sunflower river at the mouth of Rolling fork, and there to take a boat and go up Little Sunflower about 100 miles. He took companies A., Capt. Gulley; D, Capt. Campbell; and I, Capt Gant.

May 5, 1863.—Remainder of the regiment ordered to Vicksburg, distance about 100 miles. Went to the mouth of Rolling Fork and took a boat for Haynes Landing on the Yazoo. Sergt. W. P. Colley was left behind to purchase beeves for the Army. It is supposed that he was captured and afterwards died as we never saw any more. B. G. Acker, Jonathan Collins and J. F. Parker were left behind sick. John T. Petete died at Indian Bayou May 2, and was buried at a church near by with military honors.

May 3, 1863.

May 7, 1863.—Took steamer John Walsh for Haynes Landing and arrived there about night. J. H. Eaton and J. H. Curry were detailed to take a canoe with a couple of Negroes to row it and go to Lake George about 50 miles away by water, to carry orders for a steamer there to go at to Haynes Landing.

May 8, 1863.—Marched to Vicksburg a distance of 15 miles and camped that night near the Depot. John C. Pratt, Joseph Collins, W. K. Shaver and Corp. A. W. Largent were left at Haynes Landing sick.

May 9, 1863.—Marched to Fort Warrenton 10 miles below Vicksburg on the Miss. River and placed in Brig. Gen. Moore's brigade. Lt. Wier, Paul Williams were left sick in the hospital in Vicksburg.

May 10, 1863.—Moved to a camp a mile in the rear of Warrenton, our present position being too much exposed to the canonading of the Federal gun-boats.

May 11, 1863.—Our regiment went on picket duty at Warrenton for 24 hours. Col. Higley took 100 men and after dark went into the Fort, Capt. Willett left in command of the balance of regiment, stationed on a Levee a few hundred yards in the rear as a reserve force, and held there in line of battle during the entire night. At day-dawn this reserve was ordered back to camp. Col. Higley with his men remained in the Fort until dark the next day, under a terrific canonading from the gun-boats, and, then, under shelter of the dark retired to camps, and remained there until the 15th.

May 15, 1863.—Went on picket in the rear of Fort Warrenton, and lay in line of battle in a field, and in the afternoon of the same day moved to a camp three miles nearer Vicksburg on the first line of defense. While at Warrenton were exposed to the canonading from Federal gun-boats. We had no canon to return the compliment. We only had pine logs in the port-holes of the fort with the ends blackened.

May 16, 1863.—Began the work of digging rifle-pits and cutting down the timber in our front.

May 17, 1863.—Sunday, but we worked all day on our rifle-pits. Late in the afternoon ordered back to Vicksburg. Our forces had been compelled to retreat before Gen. Grant's army of ten to our one. Battles had been fought at Raymond, Jackson, Baker's Creek and Big Black, and our men were compelled to retire to our fortifications around Vicksburg. Gen. J. E. Johnson in command of the troops outside of Vicksburg fell back to Jackson. We went into the trenches in regular order of battle. The 40 Ala. Ref.

was on the left of Moore's Brigade on North East side of the railroad.

May 18, 1863.—Federal forces continued to advance upon our lines, canonading our entire line all day, pressing upon our pickets, getting their batteries in position to shell our lines.

May 19, 1863.—Heavy canonading and brisk picket fighting in the morning. Several of our regiment wounded and one man of Co. G. killed. In the afternoon a hard battle was fought on our left. Federals charged our lines in front of Herbert's brigade, but were repulsed with great loss. J. H. Curry shot 40 rounds while on picket and while returning to main line for more ammunition volley after volley was shot at him. He very foolishly walked into open view of the Federal lines, while the bullets were falling all around him. Some of the Company told him he would get killed, but being a thoughtless boy he would not heed their advice and get into the breastworks. He is a good soldier who exposes himself when it is necessary. It is fool hardiness to expose one's self unnecessarily.

May 20, 1863.—Shelling and picket fighting on both sides. Two men killed in the regiment and several wounded.

May 21, 1863.—Shelling picket fighting continues. Jack Jones wounded in left arm, which was amputated.

May 22, 1863.—Terrific canonading and brisk picket fighting. Mortar fleet in Miss. river shelling the City and our lines all day and night. General attack made about 11 A. M., in which the Federals were repulsed most handsomely. Thomas Cameron, a young Methodist preacher of Co. B., wounded on left hand, the middle finger had to be amputated. One man killed in the regiment.

May 25, 1863.—Canonading has continued without ceasing since the 20th. At 2 P. M., a flag of truce from the Federals asking permission to bury their dead. They had lain so near our lines and so long, they had become very offensive. They had turned

black and some had bursted. They were allowed the privilege to come over and bury their dead. They dug a shallow grave beside each body, and rolled it in and covered it as rapidly as possible. It was a very disagreeable job. While this was being done the opposing sides met and talked kindly with each other, exchanged tobacco for canteens, exchanged papers &c. At the expiration of the time granted for this purpose, both sides retired to their respective places enemies again. Sergt. W. M. Gilkey and Joseph D. Kerr were slightly wounded.

May 27, 1863.—Heavy canonading yesterday and to-day. Two men killed in the regiment. Federal gun-boat Cincinnati was sunk before Vicksburg by our gun "Whistling Jack".

May 29, 1863.—Canonading continues. G. W. Acker had his left arm broken by a piece of shell.

June 2, 1863.—Canonading continues day and night. One man killed in the regiment.

June 3, 1863.—Canonading continues. John L. Pratt of Co. B, killed.

June 6, 1863.—Canonading with constant sharpshooting day and night. Anderson Howell of Co. B. wounded in the arm. One man killed in the regiment.

June 7, 1863.—Mortar fleet began to bombard the city, and shelling from the artillery on land continues day night. The weather is hot, but we are compelled to stay in our ditches without any shelter from the sun. Our rations are very short indeed. One biscuit, teacup of peas after they were cooked, gill of sugar per day.

June 8, 1863.—At daylight Co. B, retired to the rear to rest a day. One man in the regiment killed to-day.

June 9, 1863.—Canonading continues. Thomas Cameron wounded again, this time in the leg, and sent to hospital.

June 10, 1863.—Canonading and sharpshooting continues. Rained all day. Ditches overflowed, had considerable trouble to keep our guns and ammunition dry. We were wet and muddy. Spent a fearful day and night.

June 12, 1863.—Canonading and sharpshooting continues. Gen. Pemberton had a mortar placed in the rear of our regiment and began to shell the Federals. This caused them to concentrate a most terrific fire on our lines, in order to silence our mortar.

June 13, 1863.—Canonading &c continues. John R. Weems shot himself intentionally in the arm, and sent to hospital. Died while on his way home in July. He was on the way from Pickensville to Carrollton, and died in a wagon, in the road opposite Big Creek Church, four miles from Carrollton. He shot himself to get out of the army, and he got out.

June 15, 1863.—Canonading &c. continues Co. B. retired to the rear for a day of rest.

June 17 1863.—Canonading &c. continues. A shell from the Federal land artillery fell into our ditches, exploded and a piece of it struck Ben Mullins in the head, from which he soon died. Capt. Willett sick and excused from the ditches for the day.

June 18, 1863.—Heavy firing as usual. Federals made an attack on our and were repulsed.

June 19, 1863.—Heavy firing as usual. Logan Kerr shot in the head and killed instantly. A noble good boy.

June 20, 1863.—Heavy canonading and brisk fighting with small arms. Capt. Willett returned to his command but not well. Paul Williams wounded in the arm and sent to hospital. H. F. J. Gilbert of Co. B, shot in the head and killed instantly.

June 22, 1863.—Canonading &c. continues. Co. B. retired to the rear for a day of rest. Our rations very scarce, barely enough to sustain life.

June 24, 1863.—Canonading &c. not quite so heavy.

June 27, 1863.—Heavy canonading still continues. Corp. Belk of Co. B, while on a visit to John McManus, who was sick in the rear, was struck by a piece of shell from Mortar-boat, from which he died the next day. Our rations still further reduced.

July 1, 1863.—Canonading continues. Morgan Freeman of Co. B. slightly wounded by a spent ball. Federals tunneled under and blew up a redout on our left, killing and wounded forty men in the 3. La. Reg. Our men were tunneling against them when the explosion took place. Several Negroes who were at work on the tunnel were killed and wounded, some of them blown 20 to 30 feet high.

July 3, 1863.—Flag of truce at 10 A. M., sent out by our commander and firing ceased all along the lines. Terms of surrender were arranged between Gen's Grant and Pemberton. Our rations were exhausted. We had been living on bread made of peas. In two hours after it was cooked it would begin to mould, and we could stretch the cob-webs two feet long when a pone was broken. The only way we could eat it was to slice it very thin, and parched it hard on coals of fire. There was no hope of Gen. Johnson coming to our rescue. There was nothing else to do but to surrender.

July 4, 1863.—The Army of Vicksburg surrendered to-day according to the terms agreed upon yesterday.—Officers to retain side arms and private property. We were marched out of our trenches, which we had held so long against such great odds, to the rear of our lines and the Federals moved up and took possession of our lines. It was a sad day to us. We had to stack our guns and leave them behind. It was enough to cause the Federals to hide their heads in shame when they looked upon the ragged, half starved, mud-stained little army of the Confederates, as they yielded their position to them. (after such a long and bitter struggle, with their line stretched until there was only a single file, and a man every three feet,) not by force of arms but by starvation. Our suffering during the siege was fearful, but

never did soldiers bear hardships with more courage and fight more bravely. While we were prisoners in Vicksburg, John McManus of Co. B. died in hospital. It was thought he died of pure laziness. He was the laziest man in the Confederate States.

J. H. Curry, a mere boy, would often expose himself unnecessarily to the bullets of the Federals. Often he would slip off his clothing except his shirt and run over a hill for the Federals to shoot at him. The Feds were on the lookout for him, and would fire a volley at him as he would run. When we surrendered the Feds came over and called for him, and told him they had tried hard to kill him and couldn't do it, and now desired to treat him. They took him to their sutlers (?) tent and told him to call for whatever he wanted to eat or drink. He never drank any thing but never refused to eat their grub. He fared sumptuously every day.

Several of Capt. Crowe's Company took the oath of allegiance and went North. There were put on a steamer and went up the Miss. river. They were all foreigners, and hirelings. Men of wealth had hired them as substitutes to keep out of the ranks themselves. We had foreigners who were volunteers and as true and brave men as went to battle. B. G. Acker, J. F. Parker & Sergt. W. P. Calley were left sick on Deer Creek, and escaped the siege of Vicksburg. Serge. Calley died, and the other two being cut off from their company, went across the country north of Vicksburg and joined the battalion commanded by Maj. T. O. Stone, then with Johnson's army, in the vicinity of Jackson.

A. T. Howell, Paul I. Williams, John R. Weems, G. W. Acker, W. J. Jones, Thomas Cameron, our wounded, (of Co. B.), and W. D. Smith, Joshua Wood, our sick, were left in hospital at Vicksburg, with Henry Easterling as nurse. In a short while the Federals sent by steamer to Mobile, Ala., and they all reached home except Weems who died as stated on page.

The first day of the Siege, (May 17, 1863), John C. Pratt, and Joseph Collins with some others were sent to Chickasaw Bayou Bridge to burn it, and were captured and sent to Fort Delaware and there both died.

July 11, 1863.—Paroled, put through the Federal lines and began the march home. The first day came to Big Black twelve miles from Vicksburg. The next day to Pearl river. The next to Brandon. Up to this point we marched in perfect order. Here we received orders to march to Enterprise, Miss., but the boys felt homeward inclined and during began to leave ranks and took different roads for their respective homes. At Enterprise, Gen. Pemberton issued an order furloughing the army for thirty days, also for them to report at Demopolis at the expiration of said time.

While making the trip across the Country to our homes we live principally on Roasting-ears. In passing a corn field, when hungry, would gather a few ears of corn, build a fire, and cook the corn in oyster cans that we carried with us. A great many were made sick from eating so much corn, not very well cooked, with but little salt or grease and nothing scarcely to eat with it.

We remained at home a month and it was a time of pleasure to the old soldiers as well as to the home-folks. None but those who have endured hunger and hardships know how to appreciate such things. To us, who had been deprived so long the pleasure of greeting loved ones at home, could enjoy to the full this great pleasure, and say truly, "there is no place like home". O the good eating! Sit at the table and eat like folks. James Reynolds of Co. B. eat so much shortly after we got home, provoked thereby a severe attack of cholera Morbus from which he died.

Aug. 23, 1863.—Ordered to report at once at parole camp, Demopolis, Ala. Our officers and a few of our company reported at this camp the next day, and were allowed to return home for fifteen days, to collect the remainder of the company. Our officers on their return home used great diligence to collect the men, and bring them to said camp, but not many were induced to return. Our boys were not willing to go to a parole camp, but when convinced that they were exchanged were ready to obey orders.

Sept. 28, 1863.—Capt. Willett was detailed to return home and to compel the return of his company. Before he arrived home many of the men who had heard of the exchange, had already gone to Demopolis. In a few (days) all had returned except some sick and wounded.

Remained in camp here about a month, drilling, and getting cooking utensils, arms and ammunition &c. Sergt Curry given a pass for a few days to visit in the home of Mr. Lee Lipscomb. Had a splendid time. Mr. Lipscomb lived nine miles south of Demopolis. He was a true southerner and knew how to entertain a soldier. He had three beautiful and accomplished daughters who vied with each other in their efforts to make an old soldier have a good time.

Oct. 29, 1863.—Moore's Brigade, to which the 40 Ala. Reg. belonged took the cars for Chattanooga, Tenn. Arrived at Selma late in the afternoon and camped in the cotton shed that night, near an artesian well.

Oct. 30, 1863.—At 11 A. M. left on steamer for Montgomery. On board all day and night. Co. B. were on hurricane deck, and suffered greatly because of the severe cold rain. We made haste slowly on this trip, partly because of the rain storm and darkness, and partly because we (soldiers) would go from side to side of the boat to get protection from the cold wind and rain. The Capt. of the boat at first got mad and ordered us promptly to separate so as to distribute the weight on the boat, but we laughed at him. Finally, in a very mild tone he said: "Boys, your staying on one side of of the boat careens it to one side and we can't use the pumps on the side turned up, and we are in great danger of an explosion." To this the boys said "All right Captain", and suited their actions to their words. Kind words from the Captain and the fear of being blown to pieces, made us wonderful clever.

Oct. 31, 1863.—Just at daylight we landed at Montgomery, and marched to the Fair Ground. Co. B. had slept none since leaving Selma, their blankets and clothing being wet, spent the day build-

ing fires, drying our baggage, cooking rations preparatory to the next move.

Nov. 1, 1863.—At 7 A. M. took the cars for West Point, arriving at dark, where we spent the night. On the way we passed many stations where great crowds had assembled to see the soldiers. At Auburn quite a crowd of ladies and old men and boys were out to see. We boys had a nice time with the girls. The boys would send their names, company and regiment, and the young ladies would send their names and Post Office address.

J. H. Curry had been riding on top of the cars and his face was black with cinders and dust. He came down, got one of the boys to pour some water from a canteen with which he washed his face or rather stirred up the dirt and black dust, combed his head and sat out in full view of the ladies and said: "Now boys, see if I don't get a card from the girl in the crowd." He did not sit long before a lad brought him a card. The boy gave a rebel yell. Curry wrote his card and said he would take it himself. So he got off the car went out to where the ladies were, and walked around among them, looking into their faces, when at last he caught the eye of one who showed guilt and he stepped up to asked she was the one who sent the not signed—on her replying in the affirmative, the boys raised another and a prolonged yell. She was an old girl, and the ugliest one in the south.

Quite a starchy, but very polite old gentleman rode up on a gray horse very near to the cars and spoke to us in a very fatherly manner. But the boys turned loose on him and it was not long before he wished, no doubt, he had never seen a Confederate soldier. We began one at a time and said "Good evening Mr.," he bowing to each one with the most polite bow possible, but as several thousand were so to see him and to inquire after his health and family he finally took the "fool grins", and decided to leave us. He turned his horse around preparatory to his departure, when every soldier on the long train of cars said "whoa grey", and old grey stood stock still. The old gentleman tried to induce Grey to go but no go. Finally the good old man

that he was no doubt, just sat still, grinned and endured it the best he could.

Nov. 2, 1863.—At 7 A. M. we left on cars for Atlanta and arrived there at dusk. Camped near the city Hall that night and next day, cooking rations. Citizens were very kind to us.

Nov. 4, 1863.—At 7 P. M. left Atlanta on the cars Chickamuga arriving there about daylight. There we met friends in the 24 Ala. Reg. All of the "Dixie Boys" a company of this regiment were from Pickens County, Ala. Longstreet was just leaving for Knoxville, Tenn. We also met a company from Pickens in the 41 Ala. Reg. (Capt. Nash's company).

Nov. 5, 1863.—At 11 A. M. began the march to Lookout Mountain, in a cold rain. Marched all day and a part of the night in the mud and rain, and camped in an old field without wood to make fires. Here we spent a dreadful night, in the rain and dark and cold. Camped at the foot of the mountain until the 10th, picketing on Chattanooga Creek. The Federals had a six gun battery in the Moccasin bend which played on us at regular intervals during our stay here. A Georgia regiment of Militia came and camped near to us, with tents, servants &c. The most of them were old men. Some of them wore beaver hats and linen dusters. When the Moccasin Bend battery turned loose on them they were so badly frightened they ran in every direction for protection. They would lie down behind their tents or get any where they could hide. Their negroes were stamped at the outset. One came by our camp running with all possible speed with his master bringing up the rear. In the 40 Ala. Reg. there was an Irishman who was sick. He had dug him a hole in the ground just large enough to crawl into. When the shelling began, these Georgians in their search for a place of safety found Pat in his den. One would come up and say, "I am sick let me in", and in he would go. Another would come, and all were sick, and would try to get into this hole with Pat, he protesting with Irish cussing and kicking. They filled all the space and then would push their heads between those already down, each one saying, "I am sick, let me in." They almost

smothered Pat who was in his hole growling like a "possum" in a log. Finally some of our boys went to his relief and began to pull the "Goober-grabbers" away. When caught by the heels and pulled back they at first would crawl back until threatened by our boys who had gathered around. They had never been under fire before and did not know what to do. After the first excitement they did very well.

Nov. 10, 1863.—Marched to the West side of the mountain and remained here for two days. Left a detail at the foot of the mountain three miles away to cook our rations. The weather was very cold, but we made big fires, and kept fairly comfortable. Held an election for 3d Lieut. to fill vacancy created by resignation of Lieut. Terry, which resulted in the election of Sergt. E. D. Vance.

Nov. 13, 1863.—Whole regiment went on picket on Lookout Creek.

Nov. 15, 1863.—On picket again at the same place. Federals on one side of the Creek and we on the other. We crossed back and forth on logs, exchanged Newspapers, tobacco for coffee, and had a good time generally.

Nov. 17, 1863.—On Picket again.

Nov. 18, 1863.—Moved camp to the East of the Craven House.

Nov. 19, 1863.—Capt. Willet with a squad of men were sent on picket. Our picket line extending from Peavine Creek, east of Lookout Mountain, down said creek to Chattanooga Creek, then down it to where the Railroad Bridge of M. & O. crosses said creek, then down the Railroad to where it leaves the Tenn. River then down the River to the mouth of Lookout Creek, then up that creek to the turnpike Bridge.

Nov. 20, 1863.—Camped on the side of the Mountain among the rocks.

Nov. 21, 1863.—Lt. Latham promoted to first Lt. and Lt. Wier to the second. Lt. Terry's resignation making way for these promotions.

Nov. 23, 1863.—Heavy skirmishing on the right of Confederate lines on Missionary Ridge, and the Federals were repulsed with considerable loss.

Nov. 24, 1863.—Lookout Mountain enveloped in a dense cloud. A battle is expected. The two opposing lines, though so near to each other could not see each other movements. Our Brigade. (Moore's) in line of battle. The only other Brigade on the mountain was Walthall's. At 8 A. M., Federals drove in Walthall's pickets. Walthall then went in front of his line of breastworks to meet the Federals, and met with a warm reception. He fought his way back up the mountain. The Federals passed his left in great force and captured a large number of his men. His command was then thrown into confusion, and he could not rally them at his line of works or at the Craven House. It was thought to be unfortunate that he went out in front of his trenches, for if he had remained there until the Federals came up, his men would not have been confused and dispirited, and no doubt would have repulsed them.

Moore's brigade was in line at the right of the Craven House, and when the Federals came to the attack repulsed them in their front, but no support being on their left, the Federals passed Moore's left, and soon we had an enfilade fire on our lines. The order was given for our brigade, (Moore's) to retreat about one hundred yards, and at the command halt, we were to right-about, deploy and charge, which order was carried out promptly. The Federals were driven back and beyond Walthall's and Moore's line of works, down the side of the mountain from whence they came. Sergt. Curry was shot down by a grape shot in the beginning of this charge. He was struck in the right shoulder, but, while painful, was not a serious wound. He was unconscious for a few moments, but soon regained consciousness and joined his company. When he reached them the first thing he heard was, "Curry is killed." "Yes," said Sergt. Sanders, "I saw him fall, he fell dead as a beef."

Hiram Shepherd being hard of hearing did not hear nor understand the command to retreat, halt, right-about, deploy and charge. But seeing we were going to the rear, joined heartily in the retreat and did not slacken his double quick pace until he reached our cook camps three miles away. On arriving there he reported every man killed and captured but himself. It was not long however, before W. L. Lipsey came up to confirm the correctness of his report.

In the meantime, the Federals moved forward again, drove Walthall's brigade back, and passed Moore's left, and thus caused Moore to fall back to a point some 300 yards in the rear to await re-inforcements. Soon Gen. Pettus with his brigade came up and formed a line with us.

Here we remained until midnight. Our men would call out "Lookout Yanks," and then fire a volley and crow. Then the Federals would say, lookout Johnnie Reb." and fire, and crow.

The night was cold and dark. Our men made some hasty works of rocks, preparing for an attack next morning. But at midnight we quietly withdrew from the mountain for Missionary Ridge, arriving at the base of the Ridge at day light.

The men of Co. B. that were captured while on picket on Lookout Creek, were, Lt. Wier, Corp. A. W. Largent, Corp. J. A. Russell, J. J. Strickland, J. H. Reddish, T. K. Reynolds, Samuel Robertson, W. L. Phillips, and W. D. Smith.

This battle is known as the "battle above the clouds".

Nov. 25, 1863.—Marched up on the Ridge and took our position in Cheatam's division. Federals made repeated attacks on the right of Confederate lines but were always repulsed with great loss to the Federals and small loss to the Confederates. On our extreme right we drove them back in great confusion, with large stones. Our men would get as large a stone as two or three men could get into position, and when the Federals charged upon us, turn them loose, and they would go tumbling, jumping, plunging into their ranks wounding and killed their men.

The Federals then began moving to our left across and down the valley, make a grand manœuvre while our artillery on the Ridge ploughed furrows in their ranks. They made another attack about two miles lower down the Ridge on our left and left-center, causing our left wing to give back and the Federals pressed their way onward to the top of the Ridge, and then began an enfilade fire on our line toward our right. Our line gave way up to Moore's brigade. Gen. Moore moved his brigade back about fifty yards and stretched his line to the left and then moved towards the top of the Ridge forcing the Federals over the top of the Ridge, holding them in check. A short while after dark Gen. Cheatam rode up to Sergt. Curry and inquired of him what brigade he belonged too, and when told it was Moore's, said "Moore's brigade has saved the Tenn. Army". One of the boys of Co. B. said, "three cheers for Gen. Cheatam", but he said, "hush boys, we are not out yet." He meant that Moore's brigade had checked the retreat of our left flank, which great exposed the whole army, for if they had been allowed to proceed much further we would have been cut off from the only means of escape, which was a bridge on Chickamauga Creek. Moore's brigade held the field until the infantry and artillery had gotten off safely. Our right came off in good order, but our left in consequence of their defeat came off in disorder, losing some of their artillery. We had lost a great men in these two days, but the Federals had lost more. Our loss was mostly of those who were captured. In the 40 Ala. there were 6 killed and 40 wounded. J. M. Bush, and J. A. Byars of Co. B. were wounded but not serious.

Our troops retreated across Chickamauga Creek, and then after a short rest moved in the direction of Dalton, Ga. Our line on Missionary was stretched for miles without any reserve force. The Federals could never have driven us from our position, by an attack in our front, but their superior numbers enabled them to outstretch us and come in on our left-flank.

Nov. 26, 1863.—Our troops continued to retreat, and encamped near Ring-gold, Ga. Here we enjoyed a good night's rest, the first since the 23d.

Nov. 27, 1863.—Still moving in the direction of Dalton and reached there at sun set.

Had a hard battle near Ring-gold's, in which Gen. Cleburn's Division was engaged, they being the rear guard of our army. In this engagement the Federals were repulsed with heavy loss. After this, the Federals pursued us no further, but fell back to the vicinity of Chattanooga. They learned that it would do to pursue us, but it would not do to catch us.

At Dalton we drew rations and had to cook our bread in the ashes, and roast our beef by the fire. It was very cold and disagreeable. After the retreat was over we settled down near Dalton, and built winter quarters, at places as convenient to wood and water as we could find.

Nov. 28, 1863.—Our wagon trains come in, and we began to get something to cook in.

Nov. 30, 1863.—John T., J. J. and James Elmore and E. J. Lancaster of Co. B. deserted.

Dec. 6, 1863.—W. M. Gilkey furloughed for 40 days, he having furnished a recruit.

Dec. 8, 1863.—Moved camp two miles east of the railroad and three miles south of Dalton in a large forest, and began the work of building cabins for the winter. Axes being scarce, had slow work. Here we draw Austrian rifles, having had muskets since we were exchanged.

Dec. 9, 1863.—Robt. A. Jones and J. W. Horton, who had been at home sick, returned to their command.

Dec. 15, 1863.—Sergt. Hildreth having furnished a recruit, was granted a 40 days furlough.

Dec. 19, 1863.—Henry Easterling, granted a furlough of 40 days for furnishing a recruit.

Dec. 20-25, 1863.—Company B, received the premium for haveing built the best cabins in the regiment, which was a gallon of brandy. The commissary also issued one gallon of whiskey to each company for a Christmas dram. But Christmas brought to us only the memory of home and the many happy Christmas's spent there.

Dec. 26-31, 1863.—Weather very cold, ground has been frozen for several days. About all we can do is to get wood, make fires, and cook our scanty allowance of corn meal and poor beef.

Jan. 1, 1864.—Gen. Joseph E. Johnston placed in command of the Tennessee Army. An order was issued granting a furlough to one out of every 30 men in line of duty, and one officer in each company where there were three for duty. Under this order Co. B. was entitled to furloughs for two men and one officer. Lots were cast, and W. L. Lipsey and Bowman Elmore were the lucky men, and Lt. J. A. Latham was the lucky officer. They were allowed a stay at home for 20 days. Julius Shirley came to Company from hospital. Paid off for six months, with a deduction to those who did not report promptly at Demopolis after the exchange.

Jan. 2, 1864.—Weather still cold. Nothing being done except getting wood and keeping good fires. Court Martial in session. E. J. Lancaster, J. J. Elmore, John T. Elmore and James Elmore who had deserted Nov. 30, 1863, were captured in Cherokee Co., Ala., and brought back and tried by the Court Martial, and sentenced as follows, to wit: the three Elmore to be branded with the letter "D" (for deserter) on left hip, their heads shaved, and wear a barrel shirt for 10 days. Lancaster to have his head shaved, (one half of it) and wear barrel shirt for 10 days, and all be marched through the brigade with the brass band, with a guard at charge bayonet.

Capt. Willett was a member of said court, and J. H. Curry was a witness. There was a disposition on the part of the court to give them the extreme penalty of the law. And but for the intercession of Capt. Willett this no doubt would have been

done. He made a speech on their behalf, in which he truthfully said they had been good soldiers.

Jan. 3, 1864.—Received six months pay.

Jan. 11, 1864.—D. Spencer Lavender returned to company from home, where he had been sick.

Jan. 18, 1864.—Sick with measles and sent to hospital.

Jan. 19, 1864.—John T. Elmore, after having his head shaved, had pneumonia and died. William Wood sent to hospital, sick.

Jan. 21, 1864.—W. L. Lipsey returned from home, but Bowman Elmore who was furloughed at the same time did not return, and no others granted until he returns.

Jan. 24, 1864.—Sergt. Hildreth returned from home and brought boxes of provisions and clothing for the boys.

Jan. 28, 1864.—Moore's Brigade ordered to move five miles south of our present camp to work the road, and stayed eleven days.

Feb. 7, 1864.—Came back to old camp.

Feb. 9, 1864.—Lt. Latham returned from home and brought boxes of provisions for some of the boys.

Feb. 12, 1864.—Capt. Willett granted furlough for 30 days. An order was issued allowing one man out of ten, who enlisted for the war, a furlough of 20 days stay at home.

J. H. Curry was the first to enlist in Co. B, and when the lot was cast he obtained the first furlough. It took some time to get the first ten, after Curry was furloughed the others enlisted more readily. When the lot was to be cast, the men entitled to draw for the furlough were assembled at Capt. Willett's headquarters, and when Curry's name was called he called out to Sergt. Thomas to draw for him and he did not go up to the drawing, but the result was ascertained it was found that Curry had it. He with Capt. Willett as soon as furloughs could be properly signed left for their homes. They traveled by public conveyance to Demopolis and there hired a two-horse wagon and went across the country to Carrollton. They stopped with

Mr. Duke for dinner, and at the table Curry, in passing something around the table, knocked a glass goblet from the table with his elbow and broke it into giblets. Curry was very much embarrassed, and would have paid ten dollars for the goblet, but Mrs. Duke did her best to make him easy.

Moore's brigade exchanged camps with Strahl's brigade. This exchange put us in Stewart's division, Hoods Corps, and was made to place Tennesseans under their old division commander,—Gen. Moore resigned as our brigade commander, and Gen. Alpheus C. Baker placed in command. Co. K, being without a commissioned officer held a primary election and unanimously nominated J. H. Curry of Co. B, for the position first Lt. but he being a mere boy, declined the honor.

Feb. 23, 1864.—Federals made an attack on our lines near Rocky-face Mountain gap, where the railroad leads through the ridge, and also at Crows gap. Fighting continued for three days, and resulted in the repulse of the Federals, and being driven back to Ring-gold. The Federal loss was heavy ours light. After this short campaign we returned to our camp and did picket duty, fortifying our position, and watching the Federals all through the month of March.

April 7, 1864.—The order for granting furloughs to one in ten revoked and an order was issued granting a furlough to one in twenty-five. Lt. Vance obtained a furlough. Twenty-one had been furloughed under these orders. D. N. Hicks was discharged to go home, he having been elected Circuit Clerk for Pickens Co., Ala. Sham battle fought between the different commands of the Confederates.

April 8, 1864.—A day of fasting and prayer.

April 10, 1864.—Brigade inspection and review by Maj. Gen. A. P. Stewart. From now to May 1st in our cabins, drilling, holding a meeting in a chapel we built, having reviews &c. Order issued for no more furloughs to be granted.

May 1, 1864.—Federals appear to be preparing for an attack on our lines.

May 5, 1864.—Lt. Col. Thos. O. Stone died of Pneumonia. He was a brave soldier and a good officer. When we first went out and before we went into field service, he was Major of our regiment, and was not much liked by the men. He did not then mix with the men much, and appeared a little "Dudish" in his dress and manner. But when we went to the battle we soon found his worth as a brave and noble officer. Then he mixed freely with his men—in other words he came to them, and they came to him, and no officer stood higher in the estimation of the 40th Ala. Reg. Lt. Woodward of Co. C, and Paul I. Williams of Co. B., carried his body to his family in Pickens Co., Ala.

May 6, 1864.—Ordered into our trenches, and there waited all day for a charge from the Federals, but they failed to make it.

May 7, 1864.—Federals drove in our Calvary, and took possession of Tunnel Hill. Our Division made several moves during the day, but at midnight came back to our first position.

May 8, 1864.—In our trenches ready for an attack. Co. B. with 5 other companies on picket, Capt. Willett in command. Fighting severe on picket line nearly all day. Fell back near main line and held the position till midnight and then went into our trenches.

May 9, 1864.—Marched to the east side of the railroad and remained here all day.

May 10, 1864.—Held in line of battle all day. Hard battle on the mountain side, in which the Federals were repulsed. Remained in line all the next day.

May 12, 1864.—Our command march up on the mountain side. Federal made a sudden assault on our lines, but were handsomely repulsed. William Barham killed, and G. Wash Irwin and W. H. Jennings were wounded, all of Co. B. Lt. Latham was in front of old Mr. John Goodwin, known as "Uncle Johnie" by the boys. He was more than 50 years of age. During the battle he would place the muzzle of his gun near the head of Lt. Latham. The Lt. would say "Mind Uncle Johnie, you will either shoot me or burn me with powder," but Uncle Johnie would say: "Be still Lt. I am as cool as if I was a fishing."

Sergt. Curry had just received a letter from a young lady of Marengo County, south of Demopolis, and was reading it when the battle began. He crammed it into his pocket, and ran into line and began firing and shot 25 rounds and in 30 minutes was back at the fire reading his letter. Several of our regiment killed and wounded.

May 13, 1864.—Fell back two miles above Resaca. The Federals could not drive us but they had so many more men could flank us and thereby force us to retreat.

May 14, 1864.—In line of battle near the railroad. Fighting continued all day. Baker's brigade drove the Federals in their front about one and a half miles. Our men on our right failed to drive the Federals back and we were in great danger of being captured. Gen. Stewart rode rapidly up to our lines, and on finding Gen. A. C. Baker drunk, placed Col. Higley in command of our brigade, and Col. Higley placed Capt. Willett in command of the regiment, with orders to fall back at once on our main line. Co. B. was in 20 yards of a Federal battery when Gen. Stewart came to us. Gen. Baker had ordered us to halt and lie down, a very foolish command at this time. The Federals had left their guns, but when we halted and lay down, they returned and began firing, pouring grape and canister into our lines. But soon we retreated as ordered.

May 15, 1864.—Heavy fighting nearly all day at some point on our lines. Early in the afternoon Lt. Latham wounded in the thigh, no bone broken. He was standing at the head of the company for Sergt. Curry it occurred. We were not fighting at the time merely in line preparatory to a charge, which was soon made on Federals. He was struck by what we soldiers call, a stray ball. At first he did not know he was shot. Sergt. Curry said, "Lt. that either struck you or your sword scabbard." Lt. took up his scabbard and examined it, but could find no impression made by a ball. About this time some one said, Lt. you are shot, and sure enough a ball had ploughed its way through the fleshy portion of his thigh. His leg was benumbed by the shock, but when sensibility returned he became sick and faint and had

to be carried on a litter to the field hospital where his wound was dressed and he went to a hospital in Atlanta.

R. T. Hunnicutt of Co. B. killed in the beginning of the first fight of the day. We were charging upon the Federal lines, and was near the railroad when he was shot down dead. Lewis T. Cole of Co. B. severely wounded and left behind and captured. Jas. A. Byars and Jas. Elmore were severely wounded and of the company slightly wounded. This was a hard battle and Baker's brigade lost heavily. At night the whole army fell back toward Kingston. During the battle Rev. Mr. McMullin, (Presbyterian) was killed. He went with us into the battle, and if we made a halt he would call us to prayer no matter how thick the missiles of death were flying. He had a son in our regiment who was also killed. He and his son were killed almost in the same instant, neither knew the other was killed. Mr. McMullin had been with us about a year preaching for us. He was a good preacher and greatly beloved by our regiment. He was a brave and patriotic man, and could not preach without saying something about the war and its causes. On one occasion after he had preached a most excellent sermon to about 600 soldiers, seeing Hon. J. L. Curry in the audience, then a member of the Confederate Congress, called him to the pulpit and introduced him, saying, "no doubt the men would be pleased to have a speech from one of the probable success &c, of the war. Whereupon Mr. Curry came forward and said, "This is neither the time nor place for a political speech. I feel that this is a solemn occasion in which the destiny of human souls for eternity is at stake. Then he gave a most stirring and earnest appeal for us all to become soldiers of the Cross, and closed by asking for volunteers to join the army of the Cross. About 100 came forward and gave their hands, among them was Col. Green of the 37 Ala. Reg. who was converted.

May 16, 1864.—Fell further back along the same road to Calhoun.

May 17, 1864.—Retreated on to Adairsville and formed line battle. Had a skirmish at night.

May 18, 1864.—Fell back at Cassville arriving there at noon. The whole army now massed near this place and Kingston.

May 19, 1864.—We being flanked by Federals were compelled to retreat further back, which began at midnight.

May 20, 1864.—Fell back to Etowah river which we crossed and burned the bridge behind us. We have been forced back by a majority of men but we gave them battle at every available position and in nearly instance repulsed the Federals. Camped for the night on the ridge on east side of Etowah river.

May 24, 1864.—Marched from this point 7 miles towards Dallas, it raining all night.

May 25, 1864.—Marched to the left of the army to New Hope Church, fought a hard battle, which was not expected by us.

In Co. B. Samuel Pearson was shot in the head and killed instantly. He fell backward on the shoulder of Sergt. Curry, and was pulled out of the way by Capt. Willett. We had no breast-works and were lying down behind a log that did not touch the ground only at intervals. W. H. Jones was wounded by a ball coming under the log, on the cap of the elbow. Battle lasted about one hour and fifteen minutes. Sergt. Curry shot 60 rounds, his own forty and 20 of Sam. Pearson's, which were handed to him from Pearson's cartridge-box by Capt. Willett. Several men tried to hold their hands on the barrel of Currys gun but could not because it was made too hot by such rapid firing.

Federals charged us five times but were gallantly repulsed each time. Both lines came into close contact. Sergt. Curry with two others from Co. B. were sent out on Vidette, and were close enough to the Federal vidette to hear him spit, and were shot at three times at a distance of not more than 10 or 15 paces. The moon was bright, and the Federal picket could see us when we moved. We were in the shadow of a bush about six ft. high. The first shot went through the bush-top, and the two men with Curry retreated at once to main picket line. Curry remained, lying on his back with his elbow on the ground, and his head resting in his hand, watching Mr. Yank. The second shot went just over Currys head and went into the ground on the side of the hill near by. Curry remaining perfectly still and

Mr. Yank fired a third shot which went into the ground between Currys knees, when he thought it prudent to make a retreat to the main picket line. Curry had been awake all night having made this retreat about daylight. He lay down beside a small oak and soon went to sleep. When he awoke it was ten A. M. The sun was shining hot upon him and he had been shot at so often that his face, head and neck was filled with dirt and small particles of bark from the tree beside which he lay. It was awful to be thus covered with bark, dirt and perspiration. Federals charged about noon and we who were on picket fell back in great haste to our line of battle. Our artillery horses were nearly all killed or wounded so that it was with great difficulty we could get our cannon away. Pat Matthews, an Irishman of Co. C. after the heaviest firing ceased went in front of our lines about 20 feet to a dead Federal soldier, and plundered him. He got a watch, some little money, some coffee, and a paper which purported to be his fortune told a woman in Iowa, which said also, that so long as he kept this about his person he would not be shot by a bullet. But poor fellow was killed in spite of his paper. Pat soon had a fire and was making some coffee, taking all the to dead Federal. After the coffee was made he had his mouth open wide blowing his coffee when a bullet from the gun of a Federal sharpshooter went into his mouth and tore its way through his left jaw. Pat. stamped the ground, danced around, but held on to his cup of coffee, which he afterwards drank and went to the rear to have his mouth dressed. Pat was as good a soldier as ever went to battle.

May 27, 1864.—We have not slept an hour in three days and nights, nearly dead for sleep—men go to sleep walking and run against each other. Enemy shelling us heavily. Had 4 killed and 15 wounded in our regiment.

May 28, 1864.—On the march all day and came back at night to the place from which we started in the morning. Had a good nights rest, which we much needed and greatly enjoyed. Mark Thompson sick and sent to hospital. T. A. Channell and B. T. Black came to company from hospital. Fighting along our front at intervals all through day.

May 29, 1864.—Marched 4 miles east toward Acksworth and relieved some cavalry. They were intensely glad to see us, and were just as glad to get away from us. The way we “web-foot” did tease them was unmerciful. The infantry generally made fun of the fighting qualities of the cavalry, and they never passed each other without a “tilt”. At one time a dialogue like this occurred:

Infantry—“Mister, did you ever see a Yankee?”

Cavalry.—(In angry tone) “Yes”.

Infantry—“Did he have on a blue coat?”

Cavalry.—(More angry tone) “Yes.”

Infantry—“Did you stop to look at him?”

Cavalry.—(Madder still) “Yes.”

Infantry.—“Now, Mister, please tell me if your horse was lame, or if your spurs were broken.”

May 30, 1864.—In line of battle all day, occupying some hasty ditches we had dug. Some picket fighting but no engagement on the line of battle.

May 31, 1864.—In the morning early marched to the rear for a day of rest, but at noon were ordered to the right to relieve some more cavalry. Did not remain here long as the Federals were not in the humor for a little fun with the “web-foot”, and we ordered back to the position we had just left.

June 1, 1864.—Had a good night’s rest which we enjoyed to the fullest extent. Remained here all day, and at dark marched to the front to relieve Clayton’s brigade.

June 2, 1864.—Heavy picket fighting all day. It rained in the afternoon. Indeed it has rained some every for the last ten. We are wet nearly all the time.

June 3, 1864.—Heavy rainfall. Our trenches very muddy. Continued picket fighting. Bowman Elmore and J. J. Jennings came to camp from hospital. Federals seem to be massing their forcing on our right near the railroad. Three regiments, 32, 40 & 58 Ala. left in the ditches as a picket force, while the army marched at night to the right to oppose the charge expected there.

June 5, 1864.—At 1 A. M. left the trenches in a drenching rain, and it was dark and muddy. Had a very disagreeable and tire-some march which was continued until noon. This was called the "Muddy march" and was well named. It has rained continuously for the last three days, and the roads are almost impassable. Rested this afternoon on "Lost Mountain." Washed the mud from our clothing as best we could. Drew a whiskey ration.

June 6, 1864.—Some picket fighting but the main line had a day of comparative rest.

June 7, 1864.—Corp. Lancaster and Wm. Taylor were sick and sent to hospital.

June 8, 1864.—Marched to the front & built works.

June 9, 1864.—Marched to the east of railroads to new position at night.

June 10, 1864.—Skirmish fighting—building breastworks. Sergt. Gilkey returned from home but he came in sick. Billie Taylor and Corp. Lancaster came in from hospital. Late in the afternoon Sergt. Gilkey had to be sent to the hospital. Capt. Willett in command of 150 men sent on the skirmish line. He was allowed to take his company with him. Had a day of hard skirmish fighting and heavy cannonading. Held in line all night.

June 11, 1864.—Skirmish line relieved at 8 A. M., and marched to our extreme right about two miles.

June 12, 1864.—At this place all day in the rain. Baker's brigade ordered to the trenches just before dark, and had to remain in line all night in a hard and all night rain.

June 13, 1864.—Still in line—still raining. Jonathan Collins and Hiram Shepherd came in from hospital. Sergt J. H. Eaton and Geo. W. Mitchel sick and sent to hospital. Had only skirmish fighting to-day.

June 14, 1864.—Heavy cannonading by the Federals on the line near the railroad. Sunshine once more, which we hail with delight. Sergt. T. S. Thomas sick and sent to hospital. The 40 Ala. regiment sent at noon on picket, one and a half miles to the front. At 9 P. M. entire regiment sent forward as skirmishers except Co. B. Had two killed, three wounded and seven captured in our regiment.

June 15, 1864.—Federals seem to be massing their forces on our front. At 2 P. M. charged our picket line with a heavy skirmish line and two lines of battle. We had orders to hold this picket line "at all hazard,s but "hazards" came in such force we could not hold it. After a severe conflict our men had no other alternative but to surrender. Our regiment lost 146 men and nine officers, nearly all being captured. Companies C. & D. had a position where they could retreat, and most of them came out. Co. B. was in reserve with some others, Capt. Willett in command. When the firing ceased on the picket line Capt. Willett thought it prudent to march his men to a better position, that is, where he could get a view of the picket line, and if possible ascertain why firing had ceased. His command was near a grove of trees that obstructed our view in the direction of the picket line entirely. He marched his command at left face about 70 yards out on the hill and halted to take a view, when Joshua Wood, who was at the rear of the company looked back, and saw the Federal line of battle in the very position we had just left. Just as we looked back and saw them in our position they halted and began firing. As Capt. Willett had only 75 men saw he could nothing against such a line of battle, and then we were in an open field without any protection whatever. The Captain gave orders that we retreat in haste to a fence about 200 yards away. Sergt. Curry was running with all the speed possible when a man from Covington Co., Ala. (Co. I.) who had a load of picks on his shoulder was shot down dead, his

picks falling in every direction, and Curry jumped over him as he ran. J. J. Jennings and Curry were running somewhat along the same line, when Curry said to Jennings that if he stepped on that fence in front "off would could a gobler". As they run Curry told him an anecdote of an old Negro man that belonged to Mr. Pair McGraw in Pickens Co., Ala., whose name was York. York was sick and his fever had made him delirious. His wife, whose name was Sarah, was in his clothing chest getting some cloths to make a poultice, and York said: "Sarah what for you doing in my box?" She replied "I am getting some cloths to make you a poultice," whereupon he said, "You are a liar, your airter my bacher, I'll haul back directly and up'll come a gobler." Jennings said, "Curry you are a fool to be joking at such a time as this." To which Curry replied: "We have just as laugh as cry."

W. V. Vance, Co. B. was shot several times, and at last while his brother, Eli D. Vance was supporting and carrying him along, he was shot in the back, the bullet reaching his heart, from which he died instantly. His brother laid him down gently on the ground and had to leave him to save his own life. But after dark he with one or two others went back and got his body and buried it. Abram D. Jones was shot in the left arm near the shoulder and broke it. He was a mere boy and small at that. He was faint and weak because of his wounds, and was ready to fall by the way, when Sergt. Curry, in sympathy for him, and to keep him from being carried him on his back about 100 yards, when he came to J. N. Hall a litter-bearer, and called to him to assist in carrying Jones from the field. This at first Hall refused to do, saying it would be the cause of all of us being captured. But after Curry threatened him he very reluctantly put down his litter and assisted in carrying Jones to a place of safety. Jones was then carried to the field hospital, where his left arm was amputated.

T. H. Williams and John Goodwin of Co. B. were slightly wounded. We were under a terrific fire until we crossed the fence. Lost about half of our regiment on the picket line, not many killed, but captured. This is known as the battle of Noon's-days Creek. Capt. Willett marched his command back

to the divisions line of battle and camped on our guns for the night. When we halted and stacked our guns Sergt. Curry counted them, and found there were but 112 guns in the regiment. In this retreat H. Shepherd carried a box of cartridges which weighed 100 pounds, until we had gotten beyond the fence some 200 yards, when some of the boys told him to throw it away, which he did, putting it in a bunch of black berry bushes. He was afraid to leave it however, until Hall came along with Jones on the "litter", when Curry told him he better move forward or he would be captured, and then he did some clean running.

June 16, 1864.—Marched further back and to the right of our lines and made trenches.

June 17, 1864.—In line of battle. Barham and Irwin who were wounded at Rocky-face Mountain on May 12 died in hospital in Atlanta. W. H. Jones who was wounded at New Hope Church furloughed from hospital for 60 days. Lt. Latham also furloughed but only for 30 days. J. F. Hicks came in from home.

June 18, 1864.—Marched all night to support Polk and Hardee, it raining nearly the whole night. Our corps was ordered to the right of the line on the east side of Kennesas Mountain. It was a fearful day and night march. We had no general engagement but had some heavy skirmishing. Late in the afternoon our brigade marched to the right of the new line east of Marietta, it raining all the time. We slept on planks or such things of the kind as we could find, with wet blankets. At daylight heavy fighting began on our skirmish lines, which was kept up all day.

June 19, 1864.—Dark, cloudy, rainy Sunday. Bowman Elmore, Anderson Elmore, Marcellus Jones and Thos. H. Williams, sick and sent to the hospital. Marched to the left of our line of battle in a heavy rain, about two miles, one east side of Kennesas Mountain, formed a line of battle at the top of said Mountain, which was rough and hard to climb.

June 20, 1864.—Remained all day on this mountain. J. R. Brandon, Moses Cameron and B. T. Black came in from hospital.

June 21, 1864.—Still on Kennesas Mountain. At 8 A. M. left the mountain, marched through Marietta, took Powder Springs road, and halted four miles south west of the town for a short while, but were soon marched to the extreme left of our line to prevent raid on railroad by Federal Cavalry. Co's B. & C. under command of Capt. Willett sent on picket.

June 22, 1864.—Still on picket, relieved at 4 P. M. W. L. Lipsey and Bowman Elmore came in from hospital. Heavy fighting to-day—Many killed and wounded on both sides. In line all night. Confederates made the attack and drove the Federals from their position, and then held the ground.

June 23, 1864.—Marched two miles to Sand Hills and made trenches. Fighting at intervals all through the day, but heaviest in front of Hardee and Loring.

June 24, 1864.—Heavy picket fighting on the right of our division. Anderson Elmore came in from hospital.

June 25, 1864.—In line of battle. Cut down trees &c as abatis in our front. Picket fighting all along the line, with heavy canonading.

June 26, 1864.—In same position. Fighting on our right. Federals charged our lines but repulsed with heavy loss. W. H. Jennings furloughed for 60 days.

June 28, 1864.—Heavy canonading. Picket fighting along the lines. Our regiment sent on picket at 2 P. M. Corp. Joseph Lancaster and F. Jackson McAteer sick and sent to hospital.

June 29, 1864.—More quiet than usual, however there is some picket fighting at different points on the lines. In the afternoon some canonading.

June 30, 1864.—A rainy and quiet day. It has nearly every day for a month.

July 1, 1864.—Heavy picket fighting, mostly on the right of our line.

July 2, 1864.—Heavy fighting began at daylight. Federals made heavy assault, which last a little more than two hours. Federals repulsed with heavy loss on both sides. Our regiment sent on picket.

July 3, 1864.—Army on the march to a point near Chattanooga River about 5 miles to our rear. The Federals by their superiority of numbers outflanking us. Our regiment sent on picket, Capt. Willett in command. This is the hottest day of the season.

July 4, 1864.—In line of battle. Picket fighting along our lines. Federals moving to our left, and we move to meet them. F. J. McAteer and Corp. Lancaster came in from hospital.

July 5, 1864.—Retreated in the direction of Chattanooga River, in the morning, and in the afternoon marched to our extreme left, on the river and relieved some Georgia State troops.

July 6, 1864.—In line of battle. Picket fighting on picket lines. Our regiment sent on picket, Capt. Willett in command—Col. Higley in command of brigade picket line.

July 7, 1864.—Heavy picket fighting along our lines. About sunset our batteries opened fire on Federals to which they replied for more than half an hour. At dark we were ordered back to our trenches.

July 8, 1864.—A quiet and uneventful day.

July 9, 1864.—Retreated to East side of Chattahoochee River during the night, three miles nearer Atlanta, crossed the river on pontoons. But little fighting to-day.

July 10, 1864.—In line four miles from Atlanta.

July 11, 1864.—Picket fighting near the river. At 10 A. M. marched about a mile to another road leading to Atlanta. John Goodwin, W. R. McAteer and Bowman Elmore sick, and sent to hospital.

July 12, 1864.—Co. B. on picket, comparatively quiet.

July 14, 1864.—Our brigade sent on picket four miles away, on the river. Quiet to-day except some canonading and picket fighting.

July 16, 1864.—Our brigade sent on picket.

July 17, 1864.—Marched two miles to the right.

July 18, 1864.—Gen. J. E. Johnson relieved of the command of the Army of Tennessee, and Gen. J. B. Hood placed in command. This change caused a great sensation in the army. The troops felt dissatisfied, and threatened to disband. A sad day. Some of the officers tried to conceal it from the men for a time, and others threaten to arrest any man who said that Johnson was displaced by Hood. In this way doubt was produced as to the correctness of the report, and comparative quiet was restored. Never did men love a commander more than did Johnson's men love him. It is a fatal mistake to make such a change especially at such a critical period, in so important a campaign. It was a very unexpected order, and we were not prepared for it. A great many men were ready to lay down their arms. But like brave men fighting for a noble cause, the army submitted when the order was read out announcing the intelligence of this change.

July 19, 1864.—Early in the morning marched about a mile and went into line of battle. Picket fighting at several points on our lines.

July 20, 1864.—Marched to our right about two miles to meet the approaching Federals, but after a heavy picket fight, Federals retreated, and built works of defence. A hard battle was fought on Peach-Tree Creek, in which we defeated and drove back the Federal line, but we lost heavily.

July 21, 1864.—Picket fighting at close range. At 10 A. M. we received orders to charge the Federal line at 11 A. M. The Federals were not far from us, well fortified, and had cut down trees and sharpened the limbs, the tops of which had fallen towards our lines, and in addition has cut long logs in which

they bored holes and drove long spikes in them so as to impede our progress in case of a charge. We saw hope of reaching and dislodging them from their stronghold, but every man was ready to obey orders and make the attempt. W. M. Gilkey and W. L. Lipsey and some others made their wills. It was an hour of great suspense, but at the last the order was countermanded to our great relief. Had heavy picket fighting all day. At 9 at night fell back to our line of breast works around Atlanta, our regiment being left as pickets.

June 22, 1864.—Heavy picket fighting and canonading in the early morning, but later in the day a hard battle fought, in the Confederates were victors, capturing about 2000 prisoners and about two dozen cannon, and many small arms. We gained a victory, but lost a great many men. J. H. Curry had quite a scene with some Georgia soldiers who were hidden behind a "clay-root." He undertook to get them to move forward, which at first they refused to do, but when they saw his persistent determination, and onward march of the Alabamians they fell into line and fought as brave soldiers, they were.

July 23, 1864.—Heavy picket fighting and canonading all day. Joshua Wood and M. T. Locke captured by the Provost Guard of Atlanta, and sent under arrest to their command. They were in a private garden trying to get some vegetables. It was a large garden and they had removed a paling on the back side and had gone up toward the front in search of something to appropriate to themselves, when a woman came out of the house into the garden with a gun. The boys started on a run for the rear of the garden, and when they were near the middle Locke fell and just before he fell, the woman fired without any result except to frighten the boys. As Locke was on his back, Wood jumped over him, and Locke with a very imploring look at Wood as he made his strides for the rear of the garden, said, "Josh has she got another load," but Wood had no time for reply. The woman laid down her gun and gathering a peachtree limb, as much as she could well handle continued her pursuit, and Locke seeing her rapid approach arose from his retreat and beat a hasty run for gap in the fence, where he found Wood edging

his way out. While Locke was squeezing himself through the gap, the woman came up and give him a genteel thrashing with her limb. But the noise of the gun had brought the Provost Guard upon the scene, and Wood and only got out of the garden to be captured by them. They were sent to the front and ordered to be put on Vidette post as a punishment for their crime. Sergt. Curry took Locke and place him on post but Wood told his adventure with so merriment to the officers that he was excused.

July 24, 1864.—Picket fighting at several points along our lines.

July 25, 1864.—Heavy picket fighting all day.

July 26, 1864.—Heavy picket fighting all day.

July 27, 1864.—Heavy cannonading by Federals. Charged our line at noon but repulsed as usual. Marched late in the afternoon to Suburbs of Atlanta.

July 28, 1864.—Marched to the left of our line of battle, and engage in a bloody battle. It was an exceedingly hot day. Our forces charged the Federals in their trenches, but were repulsed. Fell back a few hundred yards in good order, and organized another line. At the close of the battle each army held their former positions. Sergts. Curry and Gilkey were in an open space not far from the Federal line of battle, with no protection, when a rabbit came along headed for the federal line, and Curry ran after it, slapping his hands on his knees, to frighten to poor rabbit worse if possible. Gilkey said to Curry, "Suppose our people at home should see us playing with this rabbit during this battle, they would think we had lost our senses."

Lt. E. D. Vance mortally wounded. Green Strickland severely wounded in the face. J. P. Cook severe in the leg. John Goodwin severe in the side. Confederate loss heavy. Late in the night fell back to our trenches about a mile.

July 29, 1864.—Marched two miles toward our left and made ditches. Co's B. & C. sent on picket, Capt. Willett in command.

July 30, 1864.—Quiet day.

July 31, 1864.—Marched toward our right one mile. Massing our forces on Sand Town road.

July 31, J. H. Curry wounded &c. (in pencil).

Aug. 1, 1864.—After dark marched about one half a mile toward the east. Quiet day.

Aug. 2, 1864.—Early in the morning move about a further east. Quiet day. The last four day has been spent changing positions.

Aug. 3, 1864.—Picket fighting in front. Capt. Willett sent with 50 men to Herring's Mill to relieve some cavalry. Shortly after his arrival there, Federals advanced in force. Capt. Willett with his men gave battle and skirmished with the Federals for two hours over the space of more than half a mile. This skirmish fighting was at close range. Our men had greatly the advantage in position, but the Federals had the advantage in numbers. Federals lost heavily. Our loss was small. Our Capt. and his men fought bravely over every inch of the ground. When they had driven our Captain with 50 men back on our main picket line, the Federals made a heavy charge, drove in our pickets capturing about 100 of our men.

B. G. Acker, J. D. Cameron, M. A. Cameron, I. A. Freeman, M. M. Freeman, J. M. French and Anderson Elmore of Co. B. were captured. W. K. Shaver of Co. B. was wounded. Had heavy fighting all along our lines. Federals gained but little advantage in this attack, only captured our picket line with a few pickets.

Gen. Hood sent Sergt. Curry out to the front early in the forenoon to ascertain the position and strength of the Federals in our front. Curry went up near the Federal lines and found them resting under "fly's" in an old field. Soon the bugle sounded the call to fall in, and in a very short while they were on the move for our lines, which they soon found waiting to give them a warm reception.

As they moved in the direction of Curry, he found that the only means of escaping capture, was to hide himself under some logs that were piled up near an old fence line. These logs afforded an excellent hiding place, as they had been rolled just out side the fence a year or two before, when this field was in cultivation, and these briars and bushes had grown up among and around them so as exclude from view any hiding beneath them. The Federal line of battle right on over the logs, while Curry underneath lay in breathless stillness. After remaining here for about an hour Curry ventured out, but soon had to hide again. But at intervals during the day he made his way south, toward the Federals right, with the hope of getting beyond their lines entirely. It was not long after his leaving his last hiding place until he came unto a corn field through which ran a branch with deep banks, which was dry, except now and then a hole of water. Into the bed of this branch Curry went and found protection, not only from its banks but by the willows, briars and other growth along its way. He traveled the bed of this branch for a quarter of a mile, wading the water that was in the holes, until he came to a place where he found some half ripe, wormy apples that had fallen from a tree on the bank. Here he stopped, crawled out and found other trees, from apples had fallen. He being very hungry eat heartily of this poor fruit and filled his haversack for future use. Then he got back into the branch and continued his march until dark, when he thought he was entirely below the lines of both armies but to his surprise, he came across the Federal line of pickets, when he got down on his all-fours and began the hazardous thing of crawling through their lines, which was accomplished in safety, although he went near enough to them to hear them spit. The next and more difficult thing was to get through the Confederate lines. It was not long before he could hear the still noise of a "Johnie Reb" as he stood quietly at his post of duty. He did not care for being captured, but was afraid of being shot. On he went, however, as cautiously as possible when he heard "Johnie Reb" say, "Halt! Who comes there?" Curry answered, "friend without the countersign." The Confederate picket then ordered Curry to hold up his hands, which he did, although he could not be seen, until the picket could call the Sergt. of the post, who soon came. They were as badly

scared as Curry for they did not know who I was, nor how many there were. After a short while I was a prisoner in their hands and carried at once to Gen. Stewarts Headquarters, who after hearing his report, sent him to his command.

Aug. 4, 1864.—Heavy fighting on our picket line, and furious canonading by both sides. Federals made an attack on our picket line at night but gained nothing by it.

Aug. 5, 1864.—Picket fighting early in the morning. Later in the day, heavy battle, with cannonading all day. Our pickets were as far to the front of main line, were not well protected, and many were taken prisoners.

Aug. 6, 1864.—Both armies close together and heavy fighting. Federals made several charges upon our line but were repulsed with considerable loss. During the we captured a number of prisoners, supposed to be about 300, besides many small arms and army stores.

Aug. 7, 1864.—Federals charged our picket lines several times during the day, and finally forced it back on the main line, capturing our redouts. Capt. Willett with 50 men sent on picket and were exposed to a most terrific fire from the Federals for more than two hours. But they held the ground and reestablished the picket line which had been disturbed and at some points driven back.

Aug. 8, 1864.—Fighting from early forenoon to late afternoon. Began again at dark and kept up till late in the night. J. C. Eaton shot in the head while on picket and killed instantly. He with J. R. Brandon and J. H. Curry were on picket in the same redout. He asked J. R. Brandon for a chew of tobacco, saying, as he put it into his mouth, "Now, I will try that same Yank a spat." A Federal sharpshooter secreted somewhere in the distance, was constantly shooting at us, and hitting uncomfortably close to us. He raised to take a good look for his man, but before he could spot his man, he was shot as above stated. Curry went to the main line to get the "litter-bears to carry him out, but as

the missiles of death were flying so promiscuously, fast and thick, they were not disposed to take the risk. At last, however, one of them, J. C. Hall, agreed to go with Curry, and they, under a heavy fire went in and brought him out. W. L. Lipsey, J. H. West, Sergts. W. M. Gilkey and J. H. Curry were detailed to bury him, being members of his "mess." They dug a neat grave with a regular vault, laid him on his blanket and these four men, one to each corner gently lowered his body down into the vault, and wrapped his blanket about it, putting some boards over the vault to protect his body from the dirt. We could get no coffin for him. He was at a church on Sand Town road. He was a good soldier and greatly esteemed by the entire company.

Aug. 9, 1864.—Heavy picket fighting along the same lines yesterday. Both picket lines in close proximity to each other. In front of the 40 Ala. Reg. pickets on both lines used water from the same spring. This spring was in the valley between the lines. If the Federals wanted water they would call out: "Hello Johnie Reb, stop your foolishness we want a drink." If the Confederates wanted water, they would say: "Hello, Yank; stop your foolishness we want a drink." Firing would cease during the time we were at the spring, but when we were back to our respective places, the word was given and firing would begin again. Occasionally we would meet at the spring, exchange papers, tobacco, for coffee, &c.

Mr. Hiram Shepherd was nervous and hard of hearing. He was a very careful soldier, never exposing himself unnecessarily, and did not like to do it when it was absolutely necessary and commanded to do so. It was agreed among us boys to have some fun at his expense, so we had an understanding with a Federal picket to capture him when he came to the spring. So we soon got rid of what water we had on our hand, and began the hard task of persuading him to go for more water. He flatly refused at first, but by a dint of persuasion we at last induced him to go. As he was sitting at the spring filling our canteens with a tin cup, a rough looking Federal picket came up to him ordering him to surrender. He jumped to his feet frightened almost out of his wits, and for a moment was speechless, but

soon his tongue was loosed and begged piteously to be allowed to return to his men; telling the Federal he meant no harm coming to the spring, and that he did not want to come anyway that the boys persuaded him to come. He begged to be allowed to carry the boys canteens back to them, but the Federal picket told him, he would take him, canteens and all; that he would send him to Rock Island. He begged for release, pleading that he could not live in that climate, and that he couldn't hear from Nancy and the children. But the Federal replied to all his entreaties in a very harsh manner, telling him he was not interested in his hearing from his wife and children, and that he didn't care whether he lived or not. In the mean time we had secretly come up close enough to hear what was said, and enjoying the fun for quite a while, we rushed up and recaptured Shepherd to his great joy, the Federal taking to his heels, convulsed with laughter. Shepherd was very profuse in his expressions of gratitude, and was made extremely by being among his friends once more. But no amount of persuasion could ever induce to take such risk any more. The joke though a good one could not be told, for fear of wounding Shepherd's feelings.

Aug. 10, 1864.—Fighting at different points during the day. Sergt. Curry wounded on right shoulder by a piece of shell. He was knocked down, in a senseless condition. The first he knew was Capt. Willett had his jacket and shirt bosom open fanning him. It was a painful though not serious wound.

August 11, 1864.—Heavy cannonading and picket fighting all day. J. J. Elmore furloughed from hospital.

August 12, 1864.—Heavy picket fighting along our lines all day.

Aug. 13, 1864.—Heavy charge on a part of the picket by Federals in the afternoon and our pickets were driven back on the main line.

Aug. 14, 1864.—Continued picket fighting during the day. Sunday, but not a day of rest for us. In we have done harder service and fought more battles on Sunday than on any other day.

Aug. 15, 1864.—Picket fighting all day.

Aug. 16, 1864.—Picket fighting all day at intervals.

Aug. 17, 1864.—Continued fighting on picket line. Our lines are stretched around Atlanta, until we only have a man every four feet, in order to make our lines long enough to confront the Federals. Federals are fortifying as they advance, and building abattis, or as we boys called it "tangle-leg," to retard our progress in case we should charge them.

Aug. 18, 1864.—Heavy picket fighting on our front in the forenoon. Heavy charge on our lines in the afternoon, in which the Federals were repulsed. Federals begin to shell Atlanta, and kept it up all day and night.

Aug. 19, 1864.—Hard battle fought on the right and left of Confederate lines, in which Confederates hold their own.

Aug. 20, 1864.—Heavy picket fighting in which the Federals were worsted.

Aug. 21, 1864.—Sunday but fighting just the same. Pickets fighting at close range with some cannonading.

Aug. 22, 1864.—Marched to the right about 200 yards from present position. Picket fighting all day.

Aug. 23, 1864.—Picket fighting and cannonading all day.

Aug. 24, 1864.—Picket fighting and cannonading all day. The 40 Ala. Reg. marched to the Depot in Atlanta and camped for the night. A night of sweet rest, the first since the beginning of this campaign. We know how to enjoy it.

Aug. 25, 1864.—At 6 A. M. left on cars for Macon, Ga., and at 2 P. M. left Macon for Columbus, Ga., camped on the train all night. A strange sensation. Away from the din of battle. No rattle of small arms, nor booming of cannon to be heard.

Aug. 26, 1864.—C. S. Elmore took suddenly and violently sick while on cars, and was left in hospital in Columbus. Left Columbus at 2 P. M. for Opelika, arriving there at 6 P. M. Remained here all night.

Aug. 27, 1864.—Left at 9 A. M. for Montgomery, Ala., arriving there at 2 P. M. Left here at 2:30 P. M. for Pollard, Ala., arriving at 2 A. M., and after a detention of half an hour left for Tensas arriving at 7 A. M.

In about two hours went aboard of Steamer for Mobile, but were ordered back to Tensas late in the afternoon of the same day. Then we were ordered to Carpenter's Station arriving a little before sundown. This is a regular picnic for us, we feel almost like we were out of the war. We had no idea when we boarded the cars at Atlanta where we were going, but we are delighted to get back to Alabama. We feel like we are getting in the vicinity of home.

Aug. 29, 1864.—Camped in a piney woodland.

Aug. 30, 1864.—Ordered to Blakely on the eastern shore of Mobile Bay. Early in the forenoon took the cars for Tensas, and there took steamer for Blakely arriving a short while before noon. Just before sundown ordered to Spanish Fort. Marched to some mills and camped for the night.

Aug. 31, 1864.—Began our line of March for Spanish Fort early in the forenoon and arrived there at 4 P. M. Remained here in camp until Sept. 4, when Company B. and D, were ordered to Holly Wood to watch some gun-boats near there. While at Spanish Fort received the sad intelligence of the death of Lt. E. D. Vance.

Sept. 7, 1864.—Gun-boats are in the Bay not far out from the shore. We were doing picket duty on the beach watching the gun-boats for fear they land some infantry. From now to Sept. 22 nothing of special interest occurred. We were doing picket service on the beach, catching fish and having a good time generally. One night Sergt. Curry was making the "grand rounds along his line of pickets when he came to a post without a sentinel. After a close investigation he found the pickets, Jonathan Collins, Alpheus and Marcellus Jones, about 50 yards in the rear lying on the ground fast asleep. He awakened them and put

them back on post and did not report them, they promising him they would not do so any more. About a week after these same men were found by Lt. Monette asleep on post again, and were reported and court-martialed, but as they were required to do double duty, were not shot but publicly reprimanded. We had so few men that it was necessary that we go on duty much more than the army regulations required.

Sept. 22, 1864.—Co. B. held an election for second Lt. which resulted in the election of Sergt. T. S. Thomas. The company held a primary election and nominated J. H. Curry, but he being a mere boy, and not an aspirant for office, declined the honor.

Sept. 25, 1864.—W. L. Lipsey transferred to 7th Ala. Cavalry. Still here doing picket duty, which is mere play to what we had left behind us. Our ration of fish was abundant. We could get spotted trout with hook and line, and croakers and shrimp by the bushels with seine, and we could get the flounder with gig.

Oct. 2, 1864.—Capt. Willett now promoted to Major of our Reg. got leave of absence to go home for a horse. An honor worthily bestowed. A brave soldier and a gallant officer.

Oct. 4, 1864.—Lt. Latham promoted to the captaincy of Co. B. An officer greatly beloved by his company.

Oct. 6, 1864.—Sergt. Curry sick and sent to Regimental hospital. The first time he was ever in a hospital, and never on the sick list since Feb. 1863.

Oct. 15, 1864.—Sergt. Curry came in from hospital. Still doing picket duty on the beach.

Oct. 22, 1864.—Major Willett came in from home with his horse, and brought boxes of clothing and eatables for several in Co. B.

Oct. 25, 1864.—Sergt. Curry sick in camp and lost his eyesight. He and Major Willett were sitting around the fire, when the major said: Well Curry I reckon we had better go to bunk and walked over Capt. Latham who had already retired. Then he discovered for the first time that he was blind. Maj. Willett came to him and led him to his bed.

Oct. 26, 1864.—Sergt. Curry sent to the Cauty Hospital in Mobile. Here he remained until Dec. 1st. This was a Catholic hospital, but they had given a portion for soldiers. However there were many citizens, male and female in the other wards. Our fare was unbearable for a well man much less for a sick man. They gave us soup that looked as if it was made out the dish water, with some frost bitten sweet potatoes in it about half done. Curry sent home to his father for some money and took his meals across the street, but it had to be done on the sly as it was contrary to orders. The Sisters of Charity, watched after such things very closely. The Sutlers went up country and brought into the hospital turkeys, chickens, eggs, &c., but we soldiers never got any of them.

Dec. 19, 1864.—Transferred to hospital at Greenville, Ala. Had good fare here and began at once to improve. Remained here for about a month when Regiment was ordered to take steamer for Montgomery. Curry asked to be discharged from hospital to join his company. Dr. Murphy who in charge of the hospital told him he was not able to go and refused to discharge him. Curry told him he intended to run off any way and at last the Dr. discharged him. He took the cars at once for Mobile, but when he got to Pollard he learned that his command had gone by boat to Montgomery, and he returned on the first train and joined his company at Montgomery. He was very feeble and could barely see his way and had to be led after sundown.

Jan. 29, 1865.—Regiment took the cars at Montgomery at 7 A. M. and arrived at Augusta, Ga., at 4 P. M. on the 8th. We marched across the Savannah River and camped about three miles from Hamberg on the South Carolina side.

Jan. 9, 1865.—At 7 A. M. began the march across the country to Chester, South Carolina, arriving there on the 16th. This march was through a piney woods section. The weather was cold and disagreeable. We made large fires using mostly pine wood, and much of it very rich, with rosin, and when we reached Chester we were smoked so black that we looked more like Mexicans than white men.

We fared well as to good and wholesome food. No state ever treated soldiers better than did South Carolina. The citizens along the line of our march were especially kind to us. Our march was through a section of country that had never been touched before by the tramp of an army, hence, they were in a better condition to treat us well than those sections through which the army had passed.

Feb. 10, 1865.—Took the cars at 8 A. M. for Raleigh, North Carolina, and after some delays and a perilous trip reached there at noon Feb. 20th. We lay over here for six hours, during which time some of our boys discovered that there was some whiskey on the platform besides a considerable amount of meat, meal, salt, &c. There were guards stationed at different places on the platform, and it was noticed that the guards were sitting on kegs. So it was decided to make an effort to ascertain, and if possible to get a taste of the contents of said kegs. By some means some of the boys procured an auger, crawled under the platform, bored a hole through the platform floor, and into the kegs and with buckets soon emptied a keg or two, and that too, while the guard sat serenely on his keg. It was not long, however, until the boys who were into the secret had their tongues loosed and in other ways disclosed the fact that they had found something stronger than water to drink. But soon the order came for us to leave Raleigh, and the boys in liquor were dumped into the cars, and were soon asleep. Pat Matthews, an Irishman of Co. C. Sumter Co., Ala., had been placed under arrest at Chester for stealing sugar. Sergt. Curry was placed in charge of the guard that held him in custody. At the different stations on the way from Chester to Raleigh, Pat would get out on the platform and walk about the Depot. The Sergt. told him that he must be careful how he showed himself, that the Col. would get after him (Sergt.) if he saw him out of the car. To which Pat replied: "Be jabbers, I would not do any thing to give you trouble Sergt." At a small station near Raleigh, we stopped for fifteen minutes and Pat who had been behaving nicely for more than a day, thought he would venture out again. Indeed he saw a goose-nest at the back side of a small field about a hundred yards away. The Sergt's attention was called to Pat, and behold there he was

at the back side of that field robbing that goose-nest. As good luck would have it the Sergt. got him in without being discovered by the Col. But poor Pat after this was confined to the car under close guard. Sergt. Curry and his guard were relieved at Raleigh, having served out their time according to Army regulations and Pat was turned over to another guard. He was released however, when we went into line again.

After his release from duty the Sergt. lay down on top of the cars and went to sleep, and when he awoke he was forty miles from Raleigh, and nearly off the car. The road was very unlevel and it was about all a wide awake man could do to stay on top, much less one that was asleep. On the way from Chester to Raleigh there were so many men on top, and the cars were so unsteady that our boys were in a state of fear all the way. The top of the car would sway back and forth and creak as if they would break loose from the foundation and land us into some deep gorge on the way. But we made the trip in safety. After various delays we arrived at Charlotte on the 23d of Feb.

Feb. 24, 1865.—At 8 A. M. began the march to Smithfield, reaching a camp in about two days.

March 18, 1865.—Marched into the vicinity of Bentonville and formed lines preparatory to battle.

March 19, 1865.—Battle of Bentonville was fought in which Confederates were victorious. A considerable portion of the day our men were wading water from knee to hip deep. Capt. Jas. A. Latham was killed and his body left on ground occupied by the Federals. Our lines changed position during the battle leaving his body behind.

David Morrow, Wiley Horton, Thomas Cameron and Sardine Hildreth were wounded. David Morrow died in an ambulance while being carried to Field Hospital. Wiley Horton had his leg amputated and died in hospital at Charlotte. Sergt. Curry was sick with a chill on the day before the battle and was not able to keep in line. Capt. Latham gave him permission to march out of ranks, at will, in other words travel as best he

could. Of course he could not keep up with his command as he had to rest at intervals during the day. When he came up with the army on the morning of the 19th he found that his Regiment was some distance from where he approached the line, and he being weak, felt unable to take a long march, and not knowing where his command was located, joined a company, belonging to the 51st Virginia and fought with them during the day. At night, the battle over, Curry asked the commander of this company to discharge him that he might go in search of his own command. The moon shone brightly; Curry traveled up the line a westerly direction until among the wounded, dying and dead, he at last came upon the ground that had been occupied by his company during the engagement. He first found the dead body of Adjutant E. H. Elleby, which he came near stepping upon as he stepped over a log. He could hear the groans of wounded men on every side, and going from one to another came at last upon David Morrow and Wiley Horton, who were lying in a few feet of each in a low place thickly set with underbrush, Morrow shot in the body, Horton in the leg. As they had fought in the water they were wet to their hips and very cold. It was a sad spectacle. Morrow's sufferings were intense and his groans made the more so, because his being badly hairlipped, were very touching indeed. Curry dragged Horton with what help Horton could give up to where Morrow lay, built a fire, dried their clothing as best he could, and all through that long painful night surrounded by the dead and dying administered in whatever he could to their comfort.

Mar. 20, 1865.—At 9 A. M. ambulance came along gathering up the wounded and found these wounded soldiers with Curry laying near a small fire. Curry had had a chill in the early morning and was prostrate with a raging fever. After the wounded men were placed in the ambulance the driver proposed to haul Curry too as he was so sick, but he declined to ride. Curry followed on foot resting at intervals until at last he came to the mound under the pines which was designated the Field Hospital. Soon after this battle, Gen. Joseph E. Johnston began the work of reorganization and consolidation of the army. Companys B. and K, were united and became Company H, 19th Ala. Regiment.

Capt. S. H. Sprott commander. (Written between line, upside down) I should have said here that our flag with 40 men were cut off from our Reg. and got behind Fed. lines and had to make their way Raleigh and return by rail. The flag-bearer tore it from the staff, took down his pants, tied it around his leg, and brought it out all ok except the staff. Several days after the battle they came into camp with it flying on a staff cut for the occasion, men shouted—cried, kissed it, hugged it—&c. such a sensation was never produced in our command before.

Company did not have a commissioned officer at the time of the reorganization on duty. Sergeant J. H. Curry, the orderly Sergt. was in command for a time when Lieutenant Monett was placed in command, and after the reorganization, Capt. Sprott.

Not long after this we were ordered to the Yadkin River to guard a ford. Quite a number of men, principally from North and South Carolina were apprehended here who were deserting.

Lee of Virginia had already surrendered and great demoralization was manifest especially among those so near to their homes as the Carolinians.

Not long after we were ordered to Salsbury to drive out the Federal Cavalry that had captured and burned the town. Here we remained doing picket duty until the day of our surrender, May 5, 1865. The papers were all arranged for our capitulation and we were march home in regular order, but after the first day or two every man was his own commander and went his own way.

During our stay in Salsbury, just two days before our capitulation, a boy came along carrying a duck. Curry asked, "What will you take for that duck?" The boy said: "I dun no."

Curry said: "I will give you twenty five dollars for it."

The boy hesitated a moment and said: "All right."

Soon there came along a fellow with about a double hand full of very dark flour and Curry being in a trading humor said: "I'll give you twenty five dollars for the flour." With but little talk the trade was consummated, and Curry was soon at work preparing the duck and flour for a stew.

The flour was so dark that the dumplings had the appearance of blue mass and somewhat the same effect, however, the duck and dumplings were soon relegated to things that had been but were no more on earth.

(J. H. Curry Diary, loaned by John Curry, Jr., January 30, 1941.)

